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EL SALVADOR: REPROGRAMING

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EL SALVADOR: REPROGRAMING

TUESDAY, MARCH 22, 1983

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 10:15 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Charles H. Percy (chairman of the committee) presiding.

Present: Senators Percy, Helms, Kassebaum, Pressler, Murkowski, Pell, Tsongas, and Dodd.

The CHAIRMAN. This morning we will hear from three panels on the administration's aid request for El Salvador. The primary interest of the committee is to determine just how urgent it is to provide additional aid quickly.

The administration witnesses will be able to provide some detailed information on the assistance requirements. The congressional witnesses should be able to provide broader perspectives on the situation in El Salvador.

In order to save time for questions, the witnesses have been asked to limit their oral presentations to 10 minutes. We will begin with a panel of Senate witnesses, to be followed by Congressman Phil Crane, and finally Jim Michel will testify for the Department of State.

Senator Dole, regretfully, was going to be here to testify in person this morning. He has sent in testimony and we could quote from that. I have just handed a copy to Senator Symms, in the event he sees anything in the testimony of Senator Dole that he would like to refer to. The full text of Senator Dole's comments will be included in the record. It is regretted that his being tied down with the social security bill on the floor makes it impossible for him to be with us. Senator Denton has also requested his statement be inserted in the record.

[Senator Dole's prepared statement follows:]

PREPARED STATEMENT OF HON. BOB DOLE, A U.S. SENATOR FROM KANSAS

DEMOCRACY IN EL SALVADOR

Mr. Chairman, I am pleased to appear before your committee today to testify on an important aspect of our Nation's policy toward El Salvador. From many news reports and some of the more vocal critics of our policies towards Central America in general, and El Salvador in particular, one could get the idea that we were in the business of supporting dictators. Nothing could be farther from the truth, and the record should be set quite straight on this central point.

The Senator from Kansas would like to recall that under circumstances of great difficulty, the people of El Salvador participated in a national election just a year ago, in March 1982. Nearly one and one-half million Salvadoran voters cast their ballots then for a range of parties. They elected a 60-person constituent assembly whose task has been to oversee future elections and to write a new

constitution. It was a significant turnout of brave people—often under fire. For the guerrillas did try to disrupt the elections in many polling stations. They attacked the transportation that the people were to use to go to the polls. They harrassed and threatened the voters themselves.

But still, the people came. They stood in lines and waited for considerable periods of time just to vote. That stake in one's own future that we all take for granted, was dramatised in a special and memorable way by those courageous people. And in the end, more than 80 percent of that electorate had voted. Eighty percent! How fine it would be if we could begin to approach that figure here in the United States . . . and yet the critics go on about democracy in El Salvador!

Mr. Chairman, nobody, and certainly not the Senator from Kansas, would claim that democracy is ever perfect. Perhaps it was briefly in the city-State of Athens. But certainly that is not the case here in the United States. And it most assuredly is not perfect now in El Salvador, far from it. It is a dangerous place, with an armed guerrilla insurrection underway, where the distinction between friend and enemy can be blurred, and where the job of nation building goes on in spite of the insurrection and in the face of traditions of violence.

What is going on now politically in El Salvador? A constitution is now being written, and there are preparations being initiated for open Presidential elections. A peace commission has been named. Now there is a long way to go before we can say that there is a functioning popular government with institutionalized respect for the laws in El Salvador. The judicial system badly needs revision and reinforcement of its integrity. The people must have a closer association with their elected representatives, and a real stake in their own future that will include those freedoms that were last really in question for us during the Second World War. I think the people of El Salvador deserve that chance, the same chance that we all enjoy. Thomas Jefferson, after all, wrote about the blessings of freedom for "all men," and not just for the few fortunate enough to live in our own country. I see that difficult process now underway in El Salvador, and I say, Mr. Chairman, "give democracy a chance!"

But some will surely also say, why don't we let the insurgents into the political process? If they could have a share in the power, then the killing might stop. Well, the Senator from Kansas is always in favor of talking things out, but there is a real difference between, as President Reagan put it recently, expanding democracy and "supporting negotiations which would be used as a cynical device for dividing up power behind the people's back." We simply do not believe that armed guerrillas who are the threats to democracy's development in El Salvador should be able to shoot their way into the Government. If that 80-percent turnout last March 28 means anything, it at least carries that clear message.

What we have supported—and will continue to support—is the broadest possible participation of those who value democracy in the El Salvador Presidential elections that will be held later this year. In addition to the Peace Commission that I have already mentioned, the Organization of American States and the international community in general have been called upon for help. I am sure that we would want to make a contribution to that effort.

Mr. Chairman, it is not at all difficult to point out the flaws in El Salvador's democratic development. The hard part is to assist them in their difficult road toward a more extensive democracy. That is the path that friends of democracy must continue to encourage and that is the real revolution underway today in Central America.

[Senator Denton's prepared statement follows:]

PREPARED STATEMENT OF HON. JEREMIAH DENTON, A U.S. SENATOR FROM ALABAMA

Mr. Chairman, our vital interests in Latin America are directly threatened. The situation cries out for thorough and comprehensive Senatorial attention. In no other region of the world are we so rapidly approaching a sharp point of decision, a point of no return in pursuing our foreign policy interests. The consequences of a failure of knowledge, or wisdom, or will, will be grave indeed. We must make the proper choices, and the time of decision is upon us.

I believe this body has the wisdom, but may lack the knowledge and perspective required to act effectively to exercise our national will and to protect our vital interests.

The situation in El Salvador is, in one vitally important sense, not unique. The strategy of the terrorists is essentially a repetition of that previously followed and now being followed in many other countries. There are variations,

but the commonality of the theme is the important feature to anyone versed in international affairs.

It is particularly conspicuous and familiar to me in my role as Chairman of the Judiciary Subcommittee on Security and Terrorism. We have had many hearings on this subject. We have been almost boycotted in the press and I would hope that my colleagues would at least hear the authentic findings of a government body duly assigned the task of dealing with terrorism, because terrorism has a lot to do with what is happening in El Salvador.

The distinguished Members of this body must come to recognize, as our President does, as our Secretary of State does, the familiar Communist strategy now being applied in El Salvador so that we can deal with it accordingly. The strategy is to swallow a nation by introducing escalating terrorism until the inevitably increasing government repression to fight the terrorism is focused on by a standard propaganda method. This propaganda method is their most powerful modern weapon. The weapon is the portrayal of the Government as inhumane while it tries desperately, as in El Salvador, to conduct liberal reforms while fighting against terrorists.

The terrorists cold-bloodedly follow a game plan called "The Mini-Manual for Urban Guerrilla Warfare," written by Carlos Marighella in 1969. It is a manual for using terrorism wrapped in popular causes, but actually a Marxist-controlled movement aimed at communizing the country.

Here are Marighella's own words as to what the terrorism and propaganda are designed to achieve with terrorism rampant.

"The government has no alternative except to intensify repression. The police roundups, house searches, arrests of innocent people, make life in the city unbearable. The general sentiment is that the government is unjust, incapable of solving problems, and resorts purely and simply to the physical liquidation of its opponents. The political situation is transformed into a military situation, in which the militarists appear more and more responsible for errors and violence. When pacifiers and right-wing opportunists see the militarists on the brink of the abyss, they join hands and beg the hangmen for elections and other tripe designed to fool the masses."

I go on with his quote.

"Rejecting the 'so-called political solution,' the urban guerrilla must become more aggressive and violent, resorting without letup to sabotage, terrorism, expropriations, assaults, kidnappings, and executions, heightening the disastrous situation in which the government must act."

Those are Carlos Marighella's words in "The Mini-Manual for Urban Guerrilla Warfare." That handbook can be found in Detroit, Mich. It can be found in Los Angeles, Calif. It can be found in Managua, Nicaragua. It can be found in Laos. It can be found all over the world. They have used it. They continue to use it.

While all that terrorism goes on internally in a nation, the full force of the KGB active measures machine distorts the situation for worldwide consumption. And that is where the propaganda comes in, which goes along with the terrorism. The aim of the propaganda, which is enjoying some success in the United States vis-a-vis the El Salvador situation, is to isolate the government of El Salvador from outside aid while Communist aid continues to pour into the guerrillas.

There are chords in the U.S. media which the Communists know how to strike. There are similar chords in academe. Too many in this Congress dance to that tune, and find themselves regarding it a difficult task, as they did during and after Vietnam, to respond favorably to Presidential requests for aid to beleaguered countries.

While a prisoner in Vietnam, I would read a paragraph amounting to a "big lie" in the Communist Soviet and Vietnamese press. My captors, at that time thinking I would never return home, would admit in discussions with me that the statement was a lie, and I would predict to them that my country's people would never be foolish enough to believe that lie. Increasingly, my predictions become inaccurate.

Finally, there would be less than a week's interval between the Communist publication of a written lie and its repetition, often in the same or nearly the same words, by U.S. writers or national publications. That is, it would appear in the newspaper in Hanoi, and within a week the same words, or nearly the same words, would be uttered by U.S. journalists, TV commentators, or national politicians.

They would show that to me. They would shove it in my face. They would say, "There, that is where we are going to win. We are going to win in Washington as we won in Paris before."

That is how we lost Vietnam. Unfortunately, that is how tens of millions of people in Southeast Asia, in accordance with the domino theory, which has been proved valid, went down to the enslavement of communism. We lost it by politically and blindly forfeiting, through congressional action, that which had been won by a just application of military force. Such force need never have been required in Vietnam in the degree ultimately applied had we recognized early on the truth of the issue in Vietnam. And we need not have lost Vietnam had we recognized early on the truth of the issue.

No American force need ever be applied in El Salvador if we can now but see the truth of the issue there and act accordingly.

I would like to put El Salvador and our security problem in context with an overall world problem. I cannot help but noting that no less a journalistic figure than Meg Greenfield, who writes for the Washington Post and also for Newsweek, wrote words to the effect that it is becoming unstylish indeed an object of derision, to praise the virtues of this Nation or to place it in context as threatened by those who would take us over or do us in.

The forces that are hostile to freedom, democracy, and human rights are active throughout the world. Their activities have discernible objectives, and they are moving steadily toward them. The Soviet Union and its surrogates seek control of the treasure chest of Middle Eastern oil, of African ore, of Southwest Asian resources. They seek to surround China. They strive to isolate the United States, isolate her from her alliance commitments in Europe, from friends and potential friends throughout the world.

We have seen the manifestations of their overall strategy. Terrorism is the constantly used weapon. It is used within the Soviet Union. That is how they govern. But it is also the constantly used weapon internationally and it is backed, when necessary, by the armed forces of the Soviet Union and its surrogates.

Through the one or the other, the terrorism or the armed forces, or both working together, a growing number of nations and people have fallen under their control: Vietnam, Laos, Cambodia, Afghanistan, Ethiopia, Angola, Cuba, Nicaragua. Terrorist movements are active in Asia, in the Middle East, in the Horn of Africa, in sub-Saharan Africa, in Central America, in South America.

In all of those places you will find the urban guerrilla handbook and yet the Senate and the House of Representatives tend to look at each of them as something unique, some different problem that has arisen involving human rights violations or something of that kind, when in fact terrorism insures that there will be chaos and repression by that government in order to survive.

I am not saying that each of those governments are good. I am saying that in the case of El Salvador there were free elections and people voted at the risk of their lives, and they have a sovereign nation which is trying to improve itself.

The terrorists, though, represent only a small portion of that population or of any other population in which they cause that kind of problem.

Harry Truman recognized this early on. The same technique was applied in Greece and Turkey. He did not swallow it. The Congress was not dumb enough to swallow it there. And we took action.

The proof of the small number of terrorists was never more evident than in the absence of Vietcong activity during the final sweep in South Vietnam by many North Vietnamese divisions in 1975.

It is all there in the past if you want to study it. It is evident now. There is no mystery.

But apart from the conventional warfare in Vietnam in 1975 just mentioned, much can be achieved by terrorism, a lesser level of warfare. When terrorism is rampant, the indigenous government, whatever its policies and political orientation, must try to take whatever action is necessary to end the terrorism. Since Communist nations are ruled by terror, the presence of externally applied or sponsored terrorism in them is nearly impossible, a contradiction in terms.

But for a non-Communist government, more or less democratic, whatever action is necessary to end the terror, simply to insure survival, leads easily to repression, and repression often leads to revolution. And, I must emphasize, the revolution is the goal of the Soviet Union, its allies and its agents. Or, more appropriately, it is the means to an end.

If, as a result of terrorism, a revolution produces a left-wing or Communist government, the nation is easily and shortly absorbed into the Soviet orbit. It is lost to the free world and to any prospect of freedom for its people. We know that the lot of the people, their economic and social welfare, their freedoms and human rights, are dreadfully worsened when they fall under the totalitarian yoke.

Can we not see the situation in Vietnam, Laos, and Cambodia? The Senate saw those who championed the Government of North Vietnam, those who violently criticized the Government of South Vietnam. Can they not see what they have wrought?

We are their successors. I hope we will see what they have wrought.

We know of the situation in Afghanistan. We know what has happened in Cuba and in Angola. The recent visit of the Pope has highlighted what is going on right now in Nicaragua.

I believe that the Pope is peace loving. I agree with every word he said in Central America. Some of those words have been distorted, taken out of context. He called a spade a spade in the nations he visited. He would call a spade a spade in the United States, and he has, and we are not perfect. But I love peace as he does, and I think I see it pretty much the way he just depicted it through his statements as he went through that trip.

If, on the other hand, the revolution produces a right wing or conservative government, that government is held up for world denunciation, castigation by its friends as well as by its enemies, and the application of further terror which is presented as a struggle against an antidemocratic force.

Consider that illustrative case of Uruguay. Once the shining example of popular democracy in South America, the threat and application of terrorism produced the inevitable repression. It brought about a situation in which Uruguay was roundly castigated by those, like the United States, who should have been its strongest supporters. The fact that Uruguay is now making great progress toward the practice of the sort of democracy that we, and the Uruguayan people value is a tribute to their common sense.

The pattern is that Soviet supported—and in many cases, Soviet directed—terrorism seeks to destroy democracy, to cause repression, to promote revolution, to produce a dictatorship. Sometimes that dictatorship is of the left, and another free people falls under Moscow's sway in one quick step. But a right-wing dictatorship also provides the Soviet Union with priceless advantages, for it is a ready target for terrorism and revolution that will produce a left-wing regime and inevitable subjugation. While it takes a little longer, the result is the same.

All types of dictatorship—left or right, Conservative or Fascist, Socialist or Communist—fear democratic ideals and sincerely held religious faith. We in this country cannot ever be comfortable with any regime that denies the fundamental human rights of its people.

Our media, and I fear many of our political figures, ignore or obscure the fundamental and essential fact that it is much easier to influence or replace if need be, a right-wing authoritarian regime with only local resources, than it is to replace or influence a left-wing dictatorship supported by Moscow and its surrogates, and amply supplied with weapons, money, and supportive propaganda.

Similarly, too many in this country do not realize that other nations do not easily or willingly take their direction from Washington. The President and the Administration cannot direct other governments how to proceed, not in El Salvador any more than in Vietnam or Israel, or France. The Congress of the United States cannot legislate for the people of another country, nor impose its priorities and standards upon that country.

John F. Kennedy, before he became President envisaged that when he became President, he would be able to bring American pressure to bear to cause change in regimes that required liberalization, to promote the march of civilization and so on. Within 90 days, John F. Kennedy was almost in despair with realization of the limitation on the power of an American President to influence the leaders of another sovereign nation.

The Shah of Iran was, by most accounts, to some degree dancing to the tune of the United States in terms of the general trend of his liberalizing, such as it was. He may have underestimated the effect of that liberalization on the religious right in his country, and down he went. And down he went by the same kind of propaganda referred to earlier, although it was not in any sense a Communist-directed operation.

We must always be concerned, if we have compassion, if we have interest in what Wendell Wilkie called one world, if we love our neighbor as ourselves. We must always be concerned when a friendly nation, or indeed any nation that is striving for democracy and the betterment of its people, is threatened by actions of international terrorists, international terrorists that use the label "freedom fighter" as part of a centralized and calculated effort to overthrow governments.

We have too few friends to be indifferent to the prospect of a friendly government being brought to its knees through the bloody instruments of the terrorism trade. We must be concerned when any democratic government is subjected to terrorism, even if that government is not always friendly to or supportive of the United States. Democracy is such a fragile system, so rare in the world, that a threat to it anywhere is a threat to our own essential practices, beliefs, and values. Have we not learned at least that from the stream of refugees that has flowed into this country from places around the world where human freedoms and values have been suppressed, where terror has come into power? Those who fled from tyranny in Eastern Europe and Southeast Asia, and those who now flee from tyranny in Afghanistan and Latin America, provide the latest reaffirmation of that fundamental truth.

Since the founding of our Nation, we have considered the peoples of Latin America to be our friends. The relationship has frequently been an uneasy one, and the smaller and poorer nations to our south have understandably been resentful of the power and richness that our country has developed, and of the arrogance displayed, and indeed the economic exploitation we have sometimes used in the past. But even so, we have shared and cooperated to further the ideals of freedom, independence, democracy, human rights and liberties, and economic and social betterment.

However sporadic and insufficient may have been our commitment of resources and attention, there has been no question that the peoples of Latin America and the United States have shared a common perception of the things for which all responsible and compassionate human beings must strive.

Now, perhaps more than at any time since the Latin American countries obtained their independence, they and the ideals we share with them are under frontal attack by the forces of international terrorism and oppression. Their welfare and future is threatened, and our own essential security is threatened.

Vietnam was a commitment of principle. Vietnam was a commitment that had to do with the general idea of preventing the expansion of communism with the compassion that we had for those whom communism enveloped. It was not as direct a threat as is communism present in Central or South America, and what that communism can become in a very short time.

Someone in the administration recently said that if military activity were to develop in Latin America and we became involved, it would mean that the United States would have to suck away some of the forces committed to the NATO alliance. It is true. If that comes to pass, it will be a tragedy because of blindness and inaction, a failure to provide the lower levels of economic, social, and military aid that are possible at this point.

Much is made in the press of the authoritarian nature of Latin American governments. Some of them are indeed authoritarian, frequently for reasons beyond their control. But many are striving successfully for greater democracy. Venzuela, for example, has an enviable record maintained in the face of Cuban threats and terrorism during the 1960's. Colombia, which was also a target of the terrorists, held successful democratic elections last year, an achievement almost totally ignored by the press in this country. Costa Rica has been a paragon of democracy and human rights; Mexico has a long tradition of political competition and democracy; and the seeds have been planted and are growing in many other places.

Even so, the Soviet campaign to undermine and overthrow all governments that are not under its control has made great progress in this hemisphere. Cuba is a wholly controlled surrogate of Moscow.

We had testimony in my subcommittee fom Gerardo Peraza, a defector from the DGI, the Cuban intelligence organization. He told us that all of the Cuban operatives were in the service of the KGB in Havana. All their activities in America—North, South, and Central—were in Russia's interests, with the single objective of destroying the United States of America. That is printed testimony. I wish my colleagues would read it.

Nicaragua has slipped away. El Salvador and Guatemala teeter on the brink. Brazil and Chile and Argentina and Uruguay have been on the brink, and even now, despite progress, their implementation of democratic principles is less than we would ideally like to see.

We must understand as we assess the prospects for democratic development in Latin America, that the primary targets for terrorists are governments that are democratic or striving for democracy. If we fail to recognize the poison, we cannot apply the antidote. The fundamental and inevitable consequence of the unopposed application of Communist terrorism will be the destruction of the

prospects for democratic governments and the loss of the rights and freedoms of the people to Communist enslavement.

In Central America, that result would be more immediately threatening to our country than it was in Vietnam. I believe we all can agree that what happened in Vietnam was a tragedy for the Vietnamese and for the principles that we strongly espouse. The estimates of the numbers of refugees that might come from Central America run into figures that raise the hair on your head.

As in Vietnam, we see in Central America needs for social and economic progress, and there are people who are legitimately disaffected. But, as in Vietnam, we now see creation of the myth that there is, in El Salvador for example, a revolutionary movement that is free of outside aid or influence, that commits no violence on its own initiative, that is interested only in building schools and hospitals, that is supported universally by all the people in its "free zones" with an enthusiasm that one can only rarely, if ever, find in the real world.

We must recognize that the general terrorist strategy is manifest in a pipeline from Moscow to Cuba, to Nicaragua and into El Salvador of material, of control, of training, of propaganda and disinformation.

In Nicaragua, when the Sandinistas came in, there was a feeling among the people in some of those cities and towns that they were being liberated and there would be applause for the Sandinistas. That has not happened in one instance in El Salvador.

When Mr. Peraza, the director from the Cuban DGI, appeared before the Subcommittee on Security and Terrorism, his testimony was stunning. It was his first public appearance since he sought refuge in the United States in 1971. He testified about the activities of the Cuban Government and its intelligence agency, the DGI, against the United States and its interests. The DGI, he said, is not in any sense a partner of the Soviet KGB. It is a subordinate entity, taking its direction from agents of the Kremlin. Its target, and the target of Cuban policy as a whole, is always the United States. Even Cuban involvement in Angola with its organized armed forces was designed as a step to defeat the United States. We also know that the Cuban Government is an active participant in the drug trade to this country, and that it uses that trade to raise money and to undermine our interests.

The pipeline through Cuba delivers $400 million a year in aid to Nicaragua, and that money supports the oppressive Nicaraguan regime and finances the terrorism in El Salvador. Through the pipeline the guerrillas in El Salvador have received captured American military supplies from Vietnam, massive supplies. And people on television are trying to make a big point that they are not using Russian weapons, that they are using American weapons, as if somebody here had provided them. Well, they are using American weapons, and those weapons came from Vietnam.

Yassir Arafat has admitted the presence of PLO operatives in El Salvador. The Soviet Union orchestrates and sends aid directly, and keeps up a flood of propaganda notable more for its enthusiasm and quantity than for its accuracy and originality.

Those who are familiar with the operation of the worldwide Soviet strategy will find other instances of commonality. For example, the Communist negotiating position in Vietnam was based on the demand that the United States first overthrow its non-Communist ally and assist in the transfer of power to a Communist regime.

The position in El Salvador is virtually identical, and those who advocate vociferously that the United States should force the Government of El Salvador to enter into "negotiations" with the forces dedicated to its overthrow should recognize that they may in effect be demanding that the government preside over its own demise.

The United States now supports negotiations "within the framework of democratic institutions," a position with which it is difficult to argue. As the Washington Post pointed out yesterday, however, the terrorist groups reject government-sponsored elections and demand an undefined "unconditional dialogue."

I heard that over and over again in Vietnam. That means that, when you start talking with them, what is mine is mine, what is yours is mine, and we start from there.

They say that the United States must first cut off El Salvador's military supplies while the terrorist groups are continuing to get theirs and creating terrorism. They demand that elections must be preceded by a comprehensive political settlement that includes overhauling the armed forces, initiating socio-economic reform and changing El Salvador's international position.

In other words, the terrorists ask that capitulation precede negotiation, the same demand that was made in Vietnam. It would be ironic, indeed, if the Washington Post were to recognize the situation and the Congress of the United States fail to do so.

Yet the regime of El Salvador is repeatedly attacked as if it were grindingly oppressive of all that is good in men and in governments. It is attacked by those who know full well that the only alternatives are a brutal Communist dictatorship from the left or a truly reactionary and oppressive regime from the right. It is criticized for having conducted remarkably open and free elections, which apparently suffered from the defects of not having produced the result that the critics desired and having been accompanied by terrorist violence and murder to prevent people from voting.

The Government and people of El Salvador face a deliberately created, guerrilla produced chaos. They are faced with the simultaneous requirements of fighting a war, rebuilding the economy, redistributing land, writing a new constitution, holding another fair election, and protecting and providing for a growing refugee population. The limited resources of the Salvadoran Government have been severely taxed, yet many criticized that government for not being perfect.

Would we in the United States act at the urging of a foreign nation to dismantle the General Motors Corporation, break up Weyerhauser, and distribute it around and not reimburse those who had it before? That is the kind of thing they have done through land reform in El Salvador and other nations, and they have done it at our urging.

The terrorists thus have a simple objective: to bring about chaos. They are not distracted by the requirement of a positive building project like the Government is. They want only to destroy, to undo order. They are well supplied by the pipeline from Moscow.

The pipeline provides $400 million to Nicaragua. The President is asking for $60 million now and $50 million later for El Salvador for military purposes, and most of that is for training. Of course we must provide aid for social and economic purposes as well as for military ones. The Caribbean Basin Initiative was designed to fill those needs.

The question is not whether the amount is too much. Western European banks provide more money to Nicaragua than the President is asking for El Salvador. The question is whether we should be doing more to help control the terrorist threat and to encourage and support internal reform and development.

The decision we must make about the President's request is not one that we can view in isolation. It is but the latest in a series of decisions that have been made, and but the first in a series that remain to be made, not only about El Salvador but also about other trouble spots in our world. We cannot expect that provision of the aid we are now considering will solve that problem of El Salvador and make the difficulties go away. The only way that will happen is if the terrorist forces are isolated and rendered ineffectual. But if we do not provide aid, and if we do not continue to support the efforts to make democracy prevail over terrorism, we will condemn El Salvador to the abyss, indeed we will have helped to push it over.

And, of even greater purport, we will soon again have to gather to wrestle with the same kind of terrorist threat and to decide how we should assist the new flood of refugees that will have to come into our country.

We will read in the Record long speeches bewailing the situation that has arisen, and we will blame it on somebody else.

We in the Congress are challenged to face up to the reality of the comprehensive threat that we face. We do not have the luxury of picking and choosing facts, or of making them up as suits our individual views. We have the duty to work with the administration, and with those who have committed themselves to our side and our values, to conduct a reasonable responsible, and workable policy that will stop the strategy of terrorism. Only in that way will we protect our security, our values, and the opportunities for freedom and liberty that all men should have.

What is it in the West that prevents many of us from recognizing the true nature of the Soviet Union and the threat that it presents to free people everywhere? Meg Greenfield of the Washington Post noted more than a year ago that Western writers have a weakness for seeing unfriendly forces as always representative of the masses, always more admirable than the forces that are friendly to us and share our values.

In an interview, Aleksandr Solzhenitsyn spoke of the failure of the West to recognize what was going on in Cuba and Vietnam and Nicaragua, that totalitarian gangs were acting to seize power. He was asked why it is so fashionable to praise the regimes in Nicaragua and Vietnam, the terrorists in El Salvador. He replied:

"That is the fatal historical mistake of liberalism, not to see the enemy on the left, to consider that the enemy is always in the right, and that there is no enemy on the left. It is the same mistake which ruined Russian liberalism in 1917. They overlooked the danger of Lenin. And the same thing is being repeated today—the mistake of Russian liberalism is being repeated on a worldwide scale everywhere."

We see that same mistake today in this country, and even in the Senate. We can only hope and pray that it will not be fatal. Let us use our wisdom to see what we face, and act upon that knowledge with will and determination.

The CHAIRMAN. Senator Symms, we are very pleased to welcome you this morning. We would be very happy to hear from you.

Senator TSONGAS. Mr. Chairman.

The CHAIRMAN. Of course.

Senator TSONGAS. Could the chairman indicate when we could expect to discuss the Rowny memorandum?

The CHAIRMAN. Yes. I would estimate that we will finish the hearing by 11:30 at the latest. It depends on the number of questions. We have asked our witnesses to limit their testimony to 10 minutes.

We can then go right into the business meeting, and I would hope that we could get to that matter before we would adjourn for lunch. I would like to indicate that the Chair would be prepared to continue until 12:45, and if necessary take it up again at 2 o'clock. I would hope that the Rowny matter could be discussed before lunch.

I would like also to add to the agenda those items that will not involve protracted conversation or discussion, and also a resolution involving natural gas that has some degree of urgency behind it. It has been referred to the committee. I have introduced it. Senators Boschwitz, Pressler, and Kassebaum are cosponsors of it, together with Dixon, Johnston, Danforth, Burdick, Jepsen, and Levin. And if we could dispose of that matter and report it out this morning, I know it would be appreciated.

Senator DODD. Mr. Chairman.

The CHAIRMAN. Yes, Senator Dodd.

Senator DODD. We are under a time limit on reprograming, the 15-day period in effect ends Thursday.

The CHAIRMAN. That is right.

Senator DODD. So we are under the gun as far as that goes. I realize other things are important. I have no objection to them at all. But we are not under any time constraint with those other matters. We are under a time constraint with reprograming.

The CHAIRMAN. That is why the Chair is scheduling morning and afternoon sessions and scheduling them straight through Wednesday and Thursday, so that we can get to these matters. I am very much aware of the fact that the 15-day time limit does run out on Thursday. It is action by this committee, not by the full Senate, that is the controlling factor.

Senator DODD. Do we have unanimous consent to meet?

The CHAIRMAN. We will make such a request. We will put that request in.

Senator Symms.

STATEMENT OF HON. STEVEN D. SYMMS, A U.S. SENATOR FROM IDAHO

Senator SYMMS. Good morning, Mr. Chairman, members of the committee. I appreciate the opportunity to be here.

Mr. Chairman, since I last appeared before this committee I had the opportunity to visit El Salvador over Memorial Day of 1982. I spent 4 or 5 days in El Salvador, visited the various military provinces, and had the opportunity to see some of the things that were going on in the country, meet the leaders of the newly elected government, as well as the opposition party leaders, and had the opportunity to see firsthand what was going on in the country.

I do think that I came away from there convinced that what had happened in El Salvador in the late 1970's was there were two kinds of terrorism that took place, and so we have a double problem, as I am sure the members of the committee are aware of, in El Salvador. There was the external insertion of guerrillas and forces from Communist Nicaragua that were trying to cause military terrorism to the population in terms of blowing up powerplants, throwing handgrenades on civilians, and so forth.

So they were faced with that kind of terrorism, and then also the government embarked on a program which had, I would have to say, noble ideals, but turned out to be somewhat of economic terrorism to the economy of El Salvador. And the reason I say that is, when they started their original land reform program, which most of the leaders in the country that I talked to in all political parties agreed with me and agreed that they had to have a land reform program, but they started out without the principle of compensation, and as a result of that when people who owned land and were rather sophisticated farmers realized all of a sudden that their farms and their properties were going to be confiscated by the government without compensation, what ended up happening was that the cattle population immediately disappeared.

We find that there was a great amount of money from El Salvador in terms of cattle exports, the money put in the banks in Miami, and people doing things just to protect themselves. So we have not only the problem of the terrorism going on the military front, but the terrorism economically going on, and it compounded the problems, I think, of the newly elected government.

I was somewhat pleased with the attitude of President Magaña and his ability to work with all parties to try to bring together what they call the unity government, and I felt that they had made substantial progress after the very successful election in moving forward with the ideals that we would like to see as Americans take place in that country.

But as you know, agricultural production has gone down, their ability export and foreign exchange has gone down. And so now we are faced with the question, are we going to give this country the economic support and military support necessary in order for them to continue on a course and direction that has been so important? I think they have made substantial strides and as Americans we can all be thankful for that.

The alternative is that if we do not give them the support for those criticisms that we have leveled at the government in power about human rights and some of the other charges, those problems will only be compounded, because without American aid and support we will, in fact, be turning over the ability to wage this war against the Communists in El Salvador, we will be turning it over to an element that will have no alternative but to literally fight terror with terror, and that it would be far worse than if we do give the support.

I do not want to leave the impression upon the committee, that everything is absolutely perfect with the new government in El Salvador. However, by comparison to what has been going on, I think that we recognize it is not a perfect society, but what would be better for El Salvador and from a humanitarian standpoint what would be better for the people in El Salvador, whether or not they continue and we allow and help the government that is in power continue, even though it does have its imperfections, or do we allow the country to fall to a Communist government and then go through the kinds of things that have happened in past governments that have fallen to the Communists.

So, when we look at it from the United States and if we frame the issue, what is in our best interest, I think we find that an investment now in Central America and El Salvador may be a very low-cost investment in terms of what it might cost us if we allow a failure of our policies there.

Now, this is one of the problems. There was a very good article in the Washington Times this morning by Cleto Di Giovanni. I would ask unanimous consent to put it in the record.

He makes the point that one of the failures and one of the problems we have—and I witnessed that myself—it is very difficult for our country to put a program into effect in a foreign country the way we would like to do it. My observation in the field was that the best officer that the Salvadoran Army had in the field as troop commander was Colonel Ochoa.

Well, I think we all know that Colonel Ochoa is en route to Washington to attend the War College because of political problems within the government down there. I think that that was very unfortunate because he was an excellent troop leader and in his sector they were waging a war that was being successful against the Communist guerrillas. In other sectors where military officers were not quite as aggressive, the war was not going quite as well.

The Salvadoran soldier that I observed in El Salvador was a good, aggressive soldier, very courageous, willing to go out into the field and close with the enemy. But it is a question of, do they have the ability to do it, the wherewithal, the ammunition? They were short of radios, boots, web gear, the very basic rudimentary equipment that they needed to be able to wage and conduct operations in the field for any sustained period of time.

So we are talking about meager amounts of supplies and equipment. And when we look at the numbers of people who live between here and the Panama Canal—Senator Helms made this point very well on the floor of the Senate the other day—some 120 million people, 100 million people, if we apply the 10-percent rule of allowing the Communists to take over, we are going to have an emigration problem in

the United States that will be much worse than any emigration problem we have ever known in the past.

So in terms of an investment in our future, in terms of an investment in the future of the—just from a humanitarian standpoint, of the people in Central America, that it is not only in the best interest of the United States, but it is in the best interest of humanity that we do support what the President is trying to do.

I would urge this committee to be very cautious in any efforts to dampen the ability of the President to carry on this foreign policy. I think we absolutely have to be supportive. The alternative is that we will lose it, and I think if we do not come across with the aid—it is my understanding that we had to fly two C–103's full of ammunition to El Salvador this week because they are virtually about out of ammunition.

You cannot conduct any kind of a war with that kind of a situation, where the people on the side where they have the relatively free government and some free press, where they can pick up information of what is going on, opposing an enemy that only—who has leaders who are dedicated and determined that they are going to have victory.

And I think that the article in the Washington Times made a very excellent point, that the head leader of the guerrilla forces in El Salvador is not presently purchasing a house in Miami in case things do not work out, which is what is happening, which he infers, that that is what General Garcia is doing.

So I think that some of the leaders of the Salvadoran Government that are in power, that we are and should be supportive of, recognize that if without American aid there is going to be no opportunity for them to be successful, well then they have to start thinking, well, I will be one of the first ones at the firing squad if we collapse, so we better make preparations to live outside El Salvador, to leave the country in exile.

I recall that I had the opportunity to visit Vietnam and Cambodia in 1975, and the problem that was happening there was that American groups would come over from the Congress and make a lot of comments to the press, as they were asked to do. It would be reported in the press that there was going to be a cutoff of American aid. The South Vietnamese soldier, who was never known for being spirited infantry soldiers, but there were places and times when they did conduct themselves and distinguish themselves well in combat—would read this in the paper and say, we are running out of ammunition, maybe this is why they are only issuing us one hand grenade and 25 or 50 rounds of ammunition to go out on patrol with, where they had been trained to have much more supplies.

Psychologically it went through the army, to the detriment of the South Vietnamese Army and to the advantage of the North Vietnamese Army, because there was never any talk that they would not have the supplies and wherewithal to be able to carry out the war to victory.

And I think that the United States, if we allow this to fail in El Salvador, what we are inviting is a subversion of the surrounding countries in that part of the world, and then on into the communism that will spread on into the oilfields of Mexico.

Mexico has enormous social and economic problems right now with the unrest and unhappiness on the part of so many millions of people who are underprivileged and poor; that if we allow this to happen and

we do not concentrate a great deal of our efforts as Americans into Central America and Mexico, we will in fact witness a day in the very near future when I think that we will have real problems about having secure borders between the United States and Mexico.

And I do not mean to say that as an alarmist. I just think it is a practical reality. So I think we have no choice but to support the course that the President has been trying to pursue, even though it is not a perfect situation.

If they have another election, I would predict that the Salvadoran people will come out and vote and they will support a government, however it comes out in the free election.

And I would just say one other matter about the negotiating with the guerrillas. There is not one guerrilla in El Salvador that does not have the privilege to lay down his rifle and come in and start negotiating or become a part of the government. As long as they want to go out there and shoot innocent people, naturally there can be no negotiation with them.

All they have to do is stop waging the war, and it is not the government that started the war. It is not the Salvadoran Government forces that started the war. It is the insertion of Communist-supported guerrillas from Nicaragua, who are financed through Cuba via Russia, that are the military opponents to the present government.

Everywhere I went in the country I found the people very supportive of the election process that had taken place in El Salvador and very supportive of the government. So for us to back out at this time really would be going back on a commitment.

I recall when President Kennedy was sworn into office and gave his inaugural address, he made it very clear that the policy of the United States was to support our friends and oppose our enemies, and that we would do that, and I paraphrase his statement, but at any cost, at any price, to pursue the course of human liberty.

I think that is a policy we should be pursuing. This is vitally critical to the security of the United States, as well as to those good people that deserve the opportunity to continue to make progress in that Central American region that is so important to the United States.

So I would urge this committee to continue to allow the administration to reprogram some of these funds, so that we can give the vital aid that is needed down there. And I think within a few more months there will be signs that we can all point to with pride which show that they are making progress, there is a better course and a better record for human rights; and that with not doing this there will be no opportunity for success and all will be lost, and then I think we will pay a much greater price in the very near future.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Symms, very much.

Senator Hawkins, I wonder if you would mind joining us at the table, please. We would be very happy to hear from you before we put questions.

I would like to note the presence—and I regret that we do not have enough seats in the room, so many of you are standing—but the presence of a group of students from De Paul University. We are very pleased to have you at these hearings.

Senator Hawkins, we are happy to have you join us this morning.

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STATEMENT OF HON. PAULA HAWKINS, A U.S. SENATOR FROM FLORIDA

Senator HAWKINS. Thank you, Senator Percy.

Mr. Chairman, members of the committee. I want to thank you for giving me the opportunity to testify today concerning U.S. economic and military assistance to El Salvalor. I believe the administration's request for increased assistance to El Salvador is critical for the ultimate triumph of democracy and liberal values in that country.

The developments in El Salvador have been encouraging. One week from yesterday the Salvadorans will commemorate the beginning of democracy in their country. On March 28, 1982, 80 percent of the Salvadoran electorate participated in free and fair elections.

I remember watching our colleague Senator Kassebaum on television telling us how well they were carried out under very trying circumstances, not at all like we would have elections in our country. The outcome was not what some in this country had hoped for, but the people of El Salvador made their own choices.

They made their choices in spite of the best efforts of the Marxist guerrillas to intimidate the electorate and disrupt the elections. The guerrillas' strategy is to initiate terrorist attacks against economic targets in the hope of evoking a violent response from the rightwing elements, and thereby discredit the government. This strategy has met with mixed success.

The battle between government forces and the Marxist guerrillas has been an even one, but recently the guerrillas seem to have taken the initiative. Additional assistance is necessary if we are going to prevent the guerrillas from gaining through terror what they could not gain at the ballot box.

Increased aid to El Salvador is important because El Salvador is important to the United States. El Salvador is important because it is the frontline against Marxist insurgents in this continent. It is important because of its proximity to the strategic Panama Canal. It is important because it is an embattled democracy fighting to stave off guerrillas espousing totalitarian ideals.

It is important because the refugees from a Marxist takeover—and I assure you, there would be refugees—would invariably end up in the United States, and would end up costing American taxpayers millions of dollars in refugee assistance. It is important because a Communist victory in El Salvador would threaten the security of Honduras, Guatemala, Costa Rica, just as the Communist takeover in Nicaragua has aggravated the probelms in El Salvador.

Ultimately, I believe even Mexico is at risk. Though Mexico has a proud heritage of democracy, a heritage that Mexicans can be proud of, the problems facing Mexico are awesome as we would view them. It has a skyrocketing birth rate, commodity prices are down and oil revenues are depressed.

International debts are mounting and being rescheduled. There are not enough jobs for the current generation, much less the next generation coming up in huge numbers. Inflation has been high and economic growth discouraging.

Mexico is a land of potential. It is a land of impressive resources, both natural and human. But it is a land living near the edge. If Mex-

ico is unable to deliver the expected prosperity to its people, then Mexico will become fertile ground for Marxist attempts to undermine the Government. Such a situation would be a grave development for the United States. We talked about it last week on the floor of the Senate, and it would threaten our own prosperity and surely our security.

I believe that the situation in El Salvador has a direct bearing on the future of Mexico and other countries in this region. If the United States allows Communist guerrillas to gain victory over an elected government, then the enemies of democracy throughout the region will gain encouragement to carry their campaign to other lands.

Though the situation in El Salvador has been encouraging, I have no illusions. Grave problems still exist. The country is embroiled in a civil war. The judicial system is not working. The untrained soldiers have violated the rights of the civilians.

The question is, how do we eliminate those problems and sustain that fledgling democracy born in Salvador just a year ago. The answer I believe, is to encourage a dual track approach, increased economic and military assistance for the government, and increased participation by all parties in the election process.

Increased assistance is necessary because the guerrillas must be convinced that they have no hope for a military victory. If we believe that by holding back aid, thereby giving the military edge to the guerrillas, that will improve the situation in the country, we are really deluding ourselves.

The more the Marxists believe they can win a military victory, the greater will be their efforts to overthrow the government. The insurgents must be convinced that a military option does not exist. They must be convinced that they can gain a measure of power only through winning in free and fair elections.

The current military initiative held by the guerrillas is compounding the problem. Additional aid is needed. I am firmly convinced that the aid requested by the administration will ultimately bring with it an end to the killing in El Salvador, and an improvement in the economic, social, and human rights situation there.

I am not, however, suggesting a military solution to the problems in El Salvador. Neither is the President. I would like to remind everybody exactly what the President said a little over 1 week ago, in a speech before the National Association of Manufacturers:

> Despite all I and others have said, some people still seem to think that our concern for security assistance means that all we care about is a military solution. That is nonsense. Bullets are no answer to economic inequities, social tensions, or political disagreements. Democracy is. What we want is to enable the Salvadorans to stop the killing and the sabotage so that economic and political reforms can take root. The real solution can only be a political one.

Consistent with this approach, the President's Special Representative for Central American Affairs, my good friend Senator Richard Stone of Florida, has indicated that the United States will shortly provide the Salvadoran Government with a list of suggestions aimed at insuring that the leftists in exile can participate in the upcoming elections without fear of physical harm.

This would include providing for their personal safety, the ability to campaign, and their access to the media and to voters. Although the specifics have yet to be formalized, it is clear that the administration

recognizes more is needed than military assistance. Political aid must be offered as well.

In addition, it is important to recognize that the administration's policy for El Salvador is part of an overall strategy for the Caribbean Basin, and must be understood in that context. The key to that strategy is not military assistance, but economic and trade assistance in the form of the Caribbean Basin Initiative [CBI].

The implications of the CBI are enormous. A favorable free trade system will strengthen that fragile private sector in the region and lower that huge unemployment. The tax benefits provided under the CBI for U.S. business investment in the Caribbean Basin will encourage American businesses to seek to invest there. These investments will mean jobs, and economic improvement for the people of the area. And the financial aid will help these nations cope with the worldwide recession.

I believe that the passage of the CBI holds out a realistic hope for increased prosperity in that region. Increased prosperity will bring with it important advantages to us in the United States. It will eliminate the incentive for central Americans and Caribbean islanders to immigrate illegally to the United States because they will find a home right where they live, and a chance to make a living. Prosperity will also eliminate the social and economic conditions that breed revolution, thereby enhancing our national security by promoting closer ties between ourselves and our close neighbors.

In other words, the administration's strategy for the region is primarily an economic strategy aimed at redressing the fundamental economic and social problems in the region. That is an ambitious undertaking. It will require both the cooperation of the other nations in the hemisphere, such as Canada, Venezuela, Mexico, and Colombia, and a consistent effort on the part of us here in the United States.

Nevertheless, the military aspect of our assistance to that region is necessary to provide these other policies with a chance to work. In fact, in El Salvador I do not believe they can work without further military assistance.

As we consider the best way to move toward the goal of democracy and increased human rights in El Salvador, it is important for us to keep in perspective the efforts by the Government to improve the situation there. None of us prefer a military solution to political problems, but it was, after all, the leftists who refused to participate in the last election.

For the upcoming election, the Government is going an extra mile. President Magaña has announced the establishment of a Peace Commission to insure that all political participants can campaign safely in the elections scheduled for December. In addition, he has called on the Organization of American States [OAS] and the international community to help guarantee that these elections are free, fair, and open. I believe that we can all agree that these are positive developments.

There are other positive signs as well. When the most recent applications are processed, there will be 60,000 new beneficiaries of land reform in El Salvador. More than 20 percent of the arable land has been redistributed. I have long been an advocate of fair land reform. It is a just means of redressing years of economic and social

injustice, and it increases the number of people who have a stake in the future of the government. I have been encouraged by the reports.

Furthermore, the administration has reported that the trend in human rights violations in Salvador is still going down, not up. A contributing factor in that, I am told, is that some Salvadoran troops have received training in the United States and that these trained soldiers have not only proven themselves to be superior soldiers to their untrained colleagues, but also have a better human rights record. This is especially significant as a large portion of the military assistance request by the administration will go toward further training of Salvadoran troops. This assistance promotes both of the administration's goals in El Salvador. It forestalls a military victory by the guerrillas, and, at the same time, contributes to improving the human rights situation.

I know that the situation in El Salvador leaves much room for improvement, especially in the area of criminal justice and human rights. But as the President has said, "Human rights means working at problems, not walking away from them."

I would like to enter into the record an editorial that appeared yesterday in the Miami Herald, "Hope for El Salvador," which is very interesting reading for my colleagues.

I thank you for the opportunity to join my esteemed colleague Senator Symms here today.

[The article referred to follows:]

[From the Miami Herald, Mar. 21, 1983]

HOPE FOR EL SALVADOR

The beginning of new middle ground may be emerging between the Reagan Administration and critics of its El Salvador policy. Secretary of State George Shultz made some important concessions the other day as he appealed for congressional approval of $298 million in emergency aid for Central America, including $179 million for El Salvador.

Critics worry that the Reagan Administration is overemphasizing a military solution to end El Salvador's turmoil. They fear that the Administration's reliance on elections to achieve democracy there is inadequate for several reasons. Foremost among those reasons is that any candidate or voter suspected of being remotely leftist risks being killed.

The Administration and its domestic critics are united in two fundamental goals, however. Both oppose the installation of a Marxist-Leninist guerrilla government in El Salvador. And both favor assisting the development of a true democracy in El Salvador. The disagreements center on how best to achieve those worthy ends.

Secretary Shultz's concessions, if followed up by the proper commitments, could help resolve those disagreements. He said that the United States would try to assure that El Salvador's scheduled mid-December election is truly fair. Toward that end, he said, the United States would guarantee the safety of leftist candidates and voters.

The Administration might, he suggested, support formation of an international peace-keeping force, perhaps under the auspices of the Organization of American States (OAS). Further, he said, the Administration supports a pre-election dialog between El Salvador's government and the left. Such talks would not aim at sharing power, he stressed, only at working out terms for the widest, safest participation in the election.

These are highly commendable steps that should be pursued aggressively. The idea of a multinational peace-keeping force should become a commitment. If it's organized through the OAS, Mexico, and Venezuela should be encouraged to participate as prominently as the United States. Both of those regional democracies long have stressed their readiness to mediate in El Salvador.

Elections under such conditions might help to unify Americans behind Washington's aims in El Salvador. Yet elections alone do not produce democracy. Democracy is government by the consent of the governed. Elections could be held there weekly, and El Salvador still would not be a true democracy so long as its government fails to halt wanton murders by government backed forces.

Democracy is impossible without justice. Encouraging as the Administration's concessions on Salvadoran elections are, they will not suffice without greater progress toward respect for human rights by El Salvador's government.

The CHAIRMAN. Thank you very much. We appreciate your testimony.

Senator Tsongas. Mr. Chairman.

The CHAIRMAN. Yes.

Senator TSONGAS. There has been objection lodged to our meeting after 11:15.

The CHAIRMAN. I did not know that. We are still working on trying to get a request to meet this afternoon. I would ask every committee member, if anyone here has registered an objection to our meeting, that we be permitted to meet until 12:45. And I know that, Senator Helms, you just mentioned to me some concern that you have that——

Senator DODD. Mr. Chairman, I cannot hear you.

Senator HELMS. My point is, Mr. Chairman, we cannot be at two places at one time. We have the social security bill on the floor. I do not think we can do justice to either of them if we have to hopscotch back and forth.

Why do we not just go as far as we can go?

The CHAIRMAN. Let us continue on, and then we will try to negotiate at that point. It would be the intention of the Chair to continue pushing foward on this, but there is a lot to be said on both sides of this issue.

I have a commitment to the distinguished Senator from Massachusetts that we can get to the question of the Rowny issue and try to take that up in our business session this morning before we recess for lunch. I would like to at least try to finish that part of it.

Senator HELMS. I would point out, Mr. Chairman, that the Senate will be in recess from 12 to 2. That would not be an inhibiting factor.

The CHAIRMAN. Thank you very much.

I would like to just ask a couple of questions. The question has been raised as to the effectiveness of our training and how much training should be given. The testimony this committee has received has indicated that we have only trained about 10 percent of the armed forces of El Salvador.

Evidence seems to be rather compelling that those that have been trained have been far more efficient, more effective, and that aspect of training that embraces human rights has been taken seriously and they have performed in a way that is far more becoming of an armed force of a sovereign country with respect to its relationships with its own citizens, and their record has been better.

Do either one of you have any direct evidence as a result of discussions that you have had or visits that you have made as to whether or not our own training has been effective?

Senator SYMMS. Mr. Chairman, I had the opportunity to see one battalion that had been trained at Fort Bragg. I did not see them operate in the field, but it was my understanding that they had been highly successful in their operations in the field and have been since that time.

So I think that it is always true that more training is certainly important.

As I mentioned, it is not perfect down there and I am not here to tell you that everything is perfect about the Salvadoran military. But under the circumstances what they need is American training; what they have received I think has been very helpful. They also need things like rifles, ammunition, radios. They have very poor communications that I witnessed in their field operations, and in the kind of operations that they are conducting they need radios clear down to the platoon level, and they do not have them. And there are things that are not real expensive that could make a difference. The guerrillas have a better communications setup than the government forces.

The CHAIRMAN. Is the evidence rather compelling that the guerrillas have been supplied better equipment?

Senator SYMMS. The evidence is very compelling. In fact, they have captured equipment. So interestingly enough, a great deal of the equipment is American equipment that came out of Vietnam. So it is a situation where in some instances you have American rifles, M–16's, used by both sides, although the main rifle for the Salvadoran Army was the G–3, which was a West German-made rifle of a NATO 7.62 cartridge caliber, although the units that have been trained in the United States and are coming down, were armed with M–16's.

But it is very obvious to me that what they needed was radios, boots, 7A2 web gear, and C-rations, so if necessary they could go to the field and sustain operations for 2 or 3 weeks at a time. They did not have the capability to do that.

The morale of the Salvadoran soldiers seemed to be good. I was impressed with their eagerness as far as their ability to be willing in every instance. Some of the military sector was not quite as aggressive in the conduct of the war at that time as other sectors.

And I made reference to Colonel Ochoa, who made quite a bit of news about his complaint to the general headquarters that he did not think that all sectors were aggressive enough in the conduct of the war. But those are problems that, when we compare it, would we rather have the Communist guerrillas take over and what can that do for the security of the United States or for the good people of El Salvador. The answer is so obvious that the alternative to not doing everything that we can do will be a sure way to guarantee a failure.

And so, you know, it would be nice if we could afford to train all of their troops at Fort Bragg. That may not be possible. But I think a few more drill sergeant types to teach basic military squad tactics and those kind of things is definitely needed.

The CHAIRMAN. In order to keep down the number of American advisors in the country, is it feasible to train forces in neighboring countries? It could be done, of course, at Fort Bragg, but the cost is considerable.

Senator SYMMS. I think Panama would be a good place.

The CHAIRMAN. Are there other countries that——

Senator SYMMS. Panama has the capability. Whether they would welcome such activities, I cannot speak to that. You would have to ask the State Department, I suppose, and the Panamanian Government how their attitude would be.

But we certainly have military potential with our army forces that are in Panama presently in our own training schools. Whether they could handle it, I do not know that either. But it is closer.

And I think that what we really need to do is to try to concentrate the training on the staff NCO's and junior company-grade officers, also, so that you do have good leadership in the field to be able to insure the success of the troops in the field. I just do not buy the theory that they are not good soldiers. It is a question of how good the leadership is.

The Salvadorans have a reputation of being successful and hard-working people. I was impressed that San Salvador was a very clean city. There is not a lot of junk laying around, even compared to Panama. There is no comparison to how clean and well-groomed the city is, and I think this is a mark of, the people have a reputation that they are very industrious, they work hard. They have been very successful in their productive ability in that region of the world.

There is no reason that they cannot be as good, if not a superior soldier to the one that is trained by the Communists.

The CHAIRMAN. Senator Hawkins, the most immediate question before this committee is the reprograming request that has been made of us for $60 million. How quickly in your judgment is this money needed for economic and military assistance? Is it needed with such urgency that reprograming would be necessary?

Senator HAWKINS. I think they needed it last week, like everything else. From the reports I get, and I was in Miami yesterday and met with Latin American experts there who have recently visited the area, as has my colleague, I think it is important that they have it right away.

But the overall question here is, can you have a polite, dignified war. I think that is what I am hearing. War is horrible anyplace. Any time anybody is shooting at anybody else, it is awful. And what we are trying to do here is to provide a higher tone to what happens when there is a war, putting the U.S.-type mentality on the way we train the Salvadoran soldiers, training them in the value of human life, and to effectively combat the terrorists creating havoc throughout their country.

It has been shown by the small numbers that we have already trained, that the human rights violations are going down, even though there are still a tremendous percentage of the troops that have not been trained. And in the request, I believe that the President did ask to have 1,000 officers, NCO's, and enlisted specialists to be trained at the Panama Canal area military schools, which would increase the size of the Salvadoran trained army by 8,000 men, which would in the experts' eyes give them an ability to cope with these guerrillas that are constantly sniping and creating the terror.

The CHAIRMAN. Thank you very much.

Without objection, we will go on the 10-minute rule. I forgot to mention that.

Senator Tsongas.

Senator TSONGAS. I have no questions, Mr. Chairman.

The CHAIRMAN. Senator Helms.

Senator HELMS. Thank you, Mr. Chairman.

I want to compliment the—and I apologize for my hoarseness—two able Senators for making a point that is too seldom understood in this country by too few people. That is, we are not talking about one country now, we are talking about a region. We are talking about the front yard, if you want to use that cliche, of the United States of America.

There are 100 million people living between our southern border and Panama. The 10-percent figure that Senator Symms used a moment ago grew out of what happened when Cambodia and Vietnam fell to the Communists, and the slaughter, and the destruction and the bloodshed that started there. An estimated 10 percent of the total population of these two countries tried to flee. They climbed abroad leaky boats and became known as the boat people.

The point we need to emphasize—and you two Senators have done it remarkably well this morning—is that if you apply that 10-percent figure to the 100 million people living between our borders and Panama—and I think it would be far higher than 10 percent—we would have a minimum of 10 million refugees pouring over the borders of the United States.

Now, if you think we have economic chaos in this country today, you wait until that happens, 10, 15, 20, 25 million people. Who can know how many will come? So we are not talking about one country. And we can nitpick all we like trying to demand perfection of a country that is trying to fight communism. But the ultimate understanding that must be reached is that what we do now or what we fail to do now will have an immense impact on the economy of this country, not to mention the standard of living.

Senator Symms, while you and Senator Hawkins were talking, I was thinking of how little has been said about the Soviet Union having positioned, according to my information, 10 Bear bombers in Cuba. Now again, we hear so very little about that. Nobody throws up their arms and says, oh, we have to do something about that.

But do you not think—and I address this question to either or both of you—do you not think that this has a relationship to the big picture in El Salvador?

Senator Symms. Senator, I think absolutely it does. In fact, in my judgment what the Soviets are trying to do is to, even though it is a clear violation of the Kennedy-Khrushchev agreements for them to have heavy bombers there configured with bomb bays, that have the capability of either ASM work or direct bombing—I think that it is part of their big picture with respect to what they want to do in terms of the freeze movement, withdrawal of American forces in Europe and so forth. Because if they can build up enough equipment in Cuba, then they can use that as a bargaining chip later.

There is also evidence that there is a violation of the 1975 antibiological warfare. The Cubans are being trained and there is evidence that biological warfare training is now starting to appear in this region of the world and in Nicaragua.

So I think that it does all fit part of the big picture. And very clearly, the critical part of this is the very fact that we are having the discussion, and with all due respect, and I respect all my colleagues that are here, we are all entitled to our opinions, but the psychology of this is that there is no discussion in the Communist guerrilla camp about anything except that they are going to have a victory.

And yet we always have to go through this period of a discussion of whether or not the United States will come through with the necessary aid. As I mentioned earlier, we had to fly two C–130's with emergency funds full of 556-ball ammunition to El Salvador this past week because they are literally running out of ammunition.

But that is not a secret, it is public knowledge. So psychologically the advantage lies with the side that knows that their side wants victory and will back them, no matter what the cost, until they win. If we could get the same kind of enthusiasm and recognize that El Salvador is closer to Washington, D.C., than Seattle or probably closer than Boise, Idaho—I have not checked that on the map—but certainly closer than San Francisco, it is literally in our front yard where this is happening.

And I think that there is a relationship between continued Soviet violations of offensive weapons in Cuba, continued Soviet violations of the law of the United States which was passed in 1962 and then again last year with the repassage to reestablish the expression that we would use whatever means necessary to stop the flow of arms and equipment to carry on warfare in the Central American region. There is a clear violation of this taking place.

Yet there seems to be not enough said about this question. The arms that are being used by the Communist forces, that are coming from Nicaragua, are clearly coming from Cuba, clearly being financed by the Soviet Union. And the Soviets' target is Mexico. They could care less about El Salvador. What they want is to create a disturbance on the southern border of the United States, which is a 2,100-mile border, unmanned.

I think that you, Senator, made the point on the floor of the Senate the other afternoon that there are more policemen on the Capitol Police Force than we have on the border between the Gulf of Mexico and the Pacific Ocean.

I know that Senator Percy has expressed a great deal of concern, and I think properly so, over what happened with respect to the supplemental appropriation that passed right before Christmas on the floor of the Senate, about our support for the NATO alliance and some of the changes that are taking place there. The NATO alliance, if we allow Central America to fall and Mexico to be embroiled in revolution, the NATO alliance will be shattered because the necessity will be that the United States will have all of their focus, all of our attention will have to be focused in this part of the world, and we simply will not have the wherewithal to worry about that part of the world.

And that will have implications in Israel, in Saudi Arabia, in the Persian Gulf, because the United States will be forced to address our military-political strength and focus right here in this hemisphere. We will not have the ability or the time or the effort or the ability or wherewithal to be concerned about those problems over there.

So it is definitely a part of the big picture, and it is a part of the continued effort of the Soviets to continue their expansionism.

Senator HELMS. This is one of the many things that the Kremlin understands perfectly well, but the American people never think of. The information is never conveyed to them in a way that can be understood.

You mentioned the Kennedy-Khrushchev agreement. There is not a soul in this room who knows what is in those agreements. I would say to the Senator from Idaho that when Alexander Haig was sitting precisely where you are sitting today for his confirmation hearings, I asked him if he would be willing to share the information about the Kennedy-Khrushchev agreements with this commitee or with my subcommittee. And he answered enthusiastically that he would.

When he became Secretary of State, repeated requests were to no avail. I never got the information. The Senate never got the information. I have renewed that request of the present distinguished Secretary of State, Mr. Shultz, and I hope that he will be forthcoming.

Senator Hawkins, your State knows a little bit about the impact of refugees. How about giving me, if you will, a brief assessment of the impact as you predict it will be if Central America did fall?

Senator HAWKINS. Well, we are experiencing it already. I was told yesterday that we feel that we have our handle on a number, that it is approximately 2,000 a month that are coming into Miami now from El Salvador. It is easy to buy a ticket. You can buy false documents. Everyone knows where to buy them. You can come in. Neighbors are calling.

Many people have a misconception of the Mariel boatlift. They think that was a great unification of families, and that these Cubans were the same as those wonderful Latins who really rebuilt Miami in the 1950's, who made it a wonderful, thriving city, the second largest banking city in the United States.

However, during the Mariel boatlift, we received about 150,000 new Cuban entrants in a matter of 4 months. There was absolutely no procedure, no process for them. After the water was over the dam and they are scattered all over our State, we discover about 4,000 of them are hardened criminals.

Castro emptied his prisons because he could not feed them, could not take care of them. He emptied his prisons, he emptied his mental hospitals, and put them on those boats. Castro is in charge of our immigration policy. He chooses who can come.

We had a President who said, open hearts, open arms, and welcomed them all. Now there is the special classification called entrants. Every time we talk about emigration, these people have a special category that nobody ever before got and nobody ever again will get, I hope, called entrants.

And they came, and a lot of people said we reunified families. We did not. The profile of those 150,000 people that came, the majority of them were single, they were male, and they were under 28 years of age.

Now let us see what happened from that boatlift in 1980 through the fall. The dollar cost is rather insignificant, I believe, when you talk about human life and human rights. Human rights in Dade County are being violated right now. In 1981, Dade County had 585 murders. Dade County is known as the murder capital of the United States, absolutely. Twenty-four percent of those murders are committed with machineguns, in Miami, where you want to go and to get a suntan and have a wonderful time and be safe.

We used to save our money as young parents and take our children down there. They had nice vacations on the weekend and it was a wonderful place to go, it is no longer.

Now we have to educate these new entrants, we have to train them, we have to teach them to speak English. The terrorist element there is frightening. The television men told me yesterday, when you come in this county, the one thing you learn quickly is to not be offended at the sight of a gun. Everybody has one beside him in his car. Every law-abiding citizen has one.

What happened to the money that we spent in the United States? Now you are looking over a shopping list that the Commander in Chief of the United States says he needs in order to restore some control to human rights and give some human rights to another country.

I want to tell you that I am looking at a list of where the money went that we sent to Florida. Florida came up here. I begged for it. I have appeared before committees. I have said, we have to have this money. We were burdened with these schools. We have to educate the children. We have to get them jobs, and Florida needs the money.

The Mariel boatlift has cost over $1 billion. So I decided to find out, where did the billion dollars go? And if you want to spend your time, ladies and gentlemen, seeing where money is inappropriately spent, you ought to see how Florida, the leaders of Florida spent that money. I am going to have hearings on it this week.

The CHAIRMAN. That is going to have to be the subject of another hearing. I have lost track of where we were when we were talking about El Salvador.

Senator HAWKINS. Well, when you talk about hidden costs, hidden costs are even in how we spend the money as Americans. The people of Florida are still out over $150 million from the Mariel boatlift, and we are now getting an estimated 2,000 people from El Salvador per month.

I would love to take everybody back to the country they came from. We can keep them there better, in a better style, and they would live like kings and queens on what it is costing us per man, woman, and child in Florida.

So, I would advise this committee to do all you can to restore stability in those countries so they stay home.

Senator HELMS. The point the Senator is making, Mr. Chairman, is that what Miami and the State of Florida are experiencing is a fraction of what the United States would experience if those 10, 12, 15 million refugees were to pour in here from Central America, if we stand back and let Central America fall.

I think my time is up, Mr. Chairman.

The CHAIRMAN. Senator Helms, I appreciate it.

Senator Pressler, any questions?

Senator PRESSLER. I have no questions.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

I thought the comments of my colleague to be right on. I can only sympathize with the very difficult conditions that exist in Florida and other States that have emigration problems under such circumstances. One of the concerns I have, of course, is the reality that if we cannot control what is happening within our own country, you have to question, Mr. Chairman, the realities of whether or not additional funds will be enough to control the bloodshed beyond our own borders.

Of course, that has been a matter of great deliberation, and I certainly concur with Senator Helms and others who believe that this whole operation is being coordinated and masterminded through the Soviet Union and Cuba, but I have, frankly, a problem, and I would appreciate either of my colleagues responding to it, Senator Symms or Senator Hawkins.

It seems to me if we just authorize $110 million plus additional aid as proposed, we can expect an increase from the other side in the same regard, to provide additional munitions, additional personnel, and additional infiltration, and then, at some point in time we again have a similar standoff, if in fact you can assume that that will occur, and that is basically an assumption that I make based on what has happened previously.

I am wondering if there is not some other method that could be considered. The guerrillas are dependent on munitions and arms that come into the country. It is my understanding that it comes in through Nicaragua and various other places, but it does come in. The ratio of the government forces to the guerrillas is 5 or 6, whatever it is, to 1. It is certainly superior.

Is there any possibility, in your opinion, that some other method might be used to dry up these supplies? I recognize it is very difficult in the jungle, in this Caribbean area, but is that not really what we are talking about? Why is just more money going to solve the problem?

Senator SYMMS. My colleague, I could not agree with you more. Every field commander that I visited within El Salvador, when I asked the question, what do you need most, and I was thinking in terms of radios, rifles, et cetera, they all came back and said, what we need most is to cut off the flow of arms and equipment that are coming to our enemies. That is the first thing we need.

Senator MURKOWSKI. Did they propose to you how that should be done?

Senator SYMMS. They have proposals. I suppose they would love to have us give them some support that probably the United States is not prepared to give.

Senator MURKOWSKI. What kind of support?

Senator SYMMS. I think they would like to have us isolate those borders so there could not be anything——

Senator MURKOWSKI. How would you isolate those borders?

Senator SYMMS. I think what we would have to do, frankly, and I cannot sit here as one Member of the Senate and tell you what the plan would be, but I think the Commander in Chief would ultimately have to make those kinds of decisions. Are we willing as Americans to announce to the world that we are not going to not only hold off a defensive position in El Salvador, but are we going to see free people in El Salvador have the opportunity to practice a similar kind of a western democratic form of government that we have in this country? Or are we going to just say the defensive position is good enough?

There was an article in the Washington Post this morning, and I am sure my colleagues noticed it, where the Sandinistas have their entire 500,000-man army on alert because there is a 1,200-man army of insurrection forces there that are opposing the Communist government in Nicaragua. Now, to me, that is good news. If there are

in fact some freedom-loving people in Central America willing to take on the government of the Sandinistas in Nicaragua, that is indeed welcome news.

That will engender the hearts and minds and spirits of the people in El Salvador, to find out that that is going on.

Now, I do not know what this administration or what this Congress would be inclined to do about cutting off the source of the economic and military aid.

Senator MURKOWSKI. You made reference to your conversations with military commanders. I woud be interested in hearing from the Senator from Idaho a little more specifically about how they would propose that this be cut off. It comes in by sea?

Senator SYMMS. It comes in by sea, and it comes across the border on land, and it comes by airplane from Cuba to Managua and to other landing strips in Nicaragua, and it is carried across the border.

Senator MURKOWSKI. How do they suggest this be curtailed?

Senator SYMMS. They would suggest that the United States, first of course, warn the Cubans that we cannot tolerate that. It is in violation of our law. And No. 2, turn the flights back that are carrying the arms and equipment in there, turn them back to Cuba. That is what they would suggest we do.

Now, that is a decision that has to be made at the executive branch level as to when and if the United States is willing to make that kind of a commitment to this cause. But I have to say with what Senator Hawkins has pointed out that there is a continual Soviet buildup in Cuba. For what purpose? I would just ask my colleagues, what is the purpose of it? Why do they need to continue unless they are dealing for something—unless they are looking for bigger chips?

They are obviously rattling sabers in the western hemisphere at a time when we are trying to have negotiations for legitimate arms control, where we could actually help make a safer world by getting rid of some of the nuclear weapons. At that very time, the Soviet Union are rattling sabers, right here, 90 miles off our coast.

That is what they are doing, and I think if we are not willing to recognize what the threat is, it is a question of will. Do we have the will to support what has to be done in El Salvador to see that they can achieve a victory? And probably you are right, $110 million more may not be enough, and I do not think you can put it in terms of dollars, but if we want to make the commitment that we will support the effort, then I think victory can be achieved, and until we make that kind of a commitment, we will have this continual problem all the time, the constant fear, the concern, the brain drain taking place that is happening.

Some of the good people that need to stay in El Salvador start getting nervous about what their future may be, so they leave. And that makes the problem worse. It happens every time the Communists try to take over a country.

So we, I think, need to demonstrate that we are willing to do whatever it takes.

Senator MURKOWSKI. I would certainly agree that we have a dilemma in the Congress of the United States. The American public is frankly fed up, in my opinion—you get the same types of letters I

do—with a continuation of support when it seems to have no end in sight. The attitude of the Government, the massacres that have taken place, the injustices, the lack of human rights, the court system.

Senator SYMMS. That is all compared to what?

Senator MURKOWSKI. That is true. It is all compared to what? But my concern is that more money——

Senator SYMMS. The New York Times said Fidel Castro was a wonderful guy.

Senator MURKOWSKI. Well, I do not always agree with the New York Times, either.

Senator SYMMS. Well, that is what they said. Compared to what? Batista was not perfect, but——

Senator MURKOWSKI. The reality is, the American people want to see an end to this, and they do not see an end with more money going in. Senator Helms mentioned the Kennedy-Khrushchev agreement, which I assume—Mr. Chairman, I am new on the committee—the terms of that have been classified.

Senator SYMMS. Secretary Haig, CIA Director Casey, Secretary Weinberger, Under Secretary Ikle, all stated that the Soviets and the Cubans are violating the Kennedy-Khrushchev agreements in front of this committee.

Senator MURKOWSKI. That is correct, but this committee is not privy to the terms of that agreement. Is that correct, Mr. Chairman?

The CHAIRMAN. I cannot certify that.

Senator MURKOWSKI. I would make the same observation that I believe you would, that if, in fact, the agreement says that they are in violation, then they should be called on. Otherwise, what is the point of having a treaty? If we have a treaty that is classified, why, it becomes a moot point as to whether or not you have a treaty then, because if you cannot enforce it because nobody knows or nobody can question, or the check and balance is not in the system, then maybe that is what we have in this treaty.

But the point has been brought out several times. First there were four bombers. Now there are 10. Is it in violation? If it is, this Government should stand behind the commitments made in that treaty, and put a call on it. But again, I do not want to exceed the time available to me, but I want to see an end to this very difficult situation that has become a knot in the stomach of Americans.

We have to develop an end to it so that there is a resolve, and just to walk out certainly does not solve the massacres and bloodshed. They will just occur in a different framework.

Senator SYMMS. Senator, can I comment on that? I agree with you, but they are writing a constitution now. They did have an election, much to the chagrin of the guerrillas, that some 80-plus percent of the people voted in. Senator Kassebaum was one of the——

Senator MURKOWSKI. My point is a little different, Senator. I am suggesting if we walk out of there, the massacre of Government supporters will occur.

Senator SYMMS. If the United States walks out of there, blood is going to run all the way down into the ocean. No question about that.

Senator MURKOWSKI. That is the point I want to make.

Senator SYMMS. Just like in Cambodia.

Senator MURKOWSKI. I think what we have to do is to actually question whether the answer is more money or some other method to dry up the munitions and the infiltration that is occurring.

Senator SYMMS. Senator, you are right on target. The problem we have is, we are spending, what, $200 billion, $400 billion, how many billions of dollars on our defense budget? Does anybody here know?

The CHAIRMAN. Billions and billions.

Senator SYMMS. If, with all of the billions of dollars we are spending, if the United States cannot diplomatically, and then by whatever means necessary, stop the flow of arms and equipment into El Salvador, then we may be—that is a question of will. That is not a question of hardware. I mean, we have the fleet. We have the U.S. Air Force, that is within flying range of that part of the world. This is one place where we could exercise our will as a Nation.

I am not going to second-guess the Commander in Chief as to what he is going to do, but I would think that there must come a time when we have to make a decision as an American people. Do we want to see Mexico fall? Do we want to allow what Ambassador Facio from Costa Rica has made very clear, in testimony here before this committee, or certainly in statements that he has made publicly that the goal is Mexico?

Are we going to stand by and let that—I am not going to stand by and let it happen if I can do it as one Senator.

Senator MURKOWSKI. This would become a different Nation if Mexico fell.

Senator SYMMS. This situation is critical right now to the United States, and the question now is, are we going to give the continued aid for what we are doing? I say we must do that. That is a minimum. Then we have to analyze the big picture, and the United States has to make a decision.

Are we willing, if necessary, to make some warning, and turn some airplanes back to Cuba, stop some boats at sea that are hauling arms and equipment to Nicaragua and send them back, and in fact secure that part of the world so that we can see a successful end to the Communist activities in El Salvador, and then allow the democratic process to work its will, so the free people in El Salvador will have an opportunity to have the same kind of opportunities we have had in this hemisphere?

That is the question. It is a question of will. It is not a question of money, but the $110 million or whatever it is they are asking for will be peanuts compared to what it is going to cost us if we go the other way. It will cost us billions, and it may cost us our freedom, which is more important.

Senator MURKOWSKI. I would like to compliment my colleagues, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Senator Dodd.

Senator DODD. I have no questions, Mr. Chairman, other than to thank our colleagues for appearing this morning.

The CHAIRMAN. We thank our witnesses very much indeed.

Senator PELL. I apologize for being late, but I look forward to reading your testimony.

The CHAIRMAN. I believe Congressman Crane is not in the room.

Our next and final witness is the Honorable James Michel, Deputy Assistant Secretary, Department of State. May I ask my colleagues whether you would like to, before we have the witness, go directly into a business meeting now and see if we can finish that up, and then go back?

Senator DODD. What is our status, Mr. Chairman? It is now 11:30. Was an objection filed to us meeting?

The CHAIRMAN. I have not been notified.

Senator DODD. I am getting acknowledgment from staff.

[Whereupon, a discussion was held off the record.]

The CHAIRMAN. It would be the intention to continue proceeding and cover just as much as we possibly can. Otherwise, the Senate is recessed at 12 o'clock anyway. There would be no problem about our going ahead during that recess.

Senator DODD. That is fine.

The CHAIRMAN. Would you prefer not to go into the business session? Let us go into the business session.

Senator MURKOWSKI. Mr. Chairman, to accommodate the Senator from Idaho, he asked if the article in the Washington Times, March 22, by Cleto Di Giovanni on El Salvador be entered into the record. I would ask unanimous consent.

The CHAIRMAN. Without objection, it will be inserted in the record at this point.

[The article referred to follows:]

[From the Washington Times, Mar. 22, 1983]

PEACE IN EL SALVADOR—BUT HOW DO WE GET IT?

(By Cleto Di Giovanni)

Peace will come to El Salvador on terms favorable to the United States (and Central America) only after the guerrillas are demoralized and defeated. The longer the Reagan administration skirts that fact while ticking off the reasons why Central America is important to our security, and the longer the Congress refuses to acknowledge it, the longer United States policy in the region will lack consistency and credibility.

There is no question about the importance of early elections in El Salvador. At the present time that nation has a president virtually appointed by the military, and a split and almost discredited constituent assembly. A government like that, which lacks central authority and goes off in different directions at once, is in a weak position to fend off outside mischief-makers—like Washington congressmen who would like to force it into negotiating with leftist guerrillas.

In pushing for early elections to shore up the legitimacy of that government, the Reagan administration pursued a useful tactic.

But the form of the Salvadoran government isn't what's threatening the security of El Salvador and U.S. interests in the region. It's the guerrillas. What's the administration's plan for dealing with them? Administration officials say they cannot confront the military problem head-on without creating a fire storm on the Hill. First things first, they say.

So they talk about elections and negotiations over electoral procedures and about leftist political leaders who might run for office as though they really mattered. They don't.

These leftist politicians, members of the Democratic Revolutionary Front, (FDR), are not equal in authority to their militant comrades-in-arms, the Farabundo Marti National Liberation Front (FMLN), despite the press' separating the FDR from the FMLN by a hyphen. Has it been forgotten that in May 1980, in Havana, the military and political control of the Salvadoran revolution was put in the hands of the Unified Revolutionary Directorate (DRU), composed only of the guerrilla commanders? The FDR is subordinate to the DRU. Not one is the so-called moderate leftist politicians—Guillermo Uno or Ruben Zamora, for

example—has ever been a member of the directorate, just as opponents of Nicaraguan president Somoza like Alfonso Robelo and Violetta Chamorro, both non-Communists, were never members of the Sandinista directorate.

It's fine to talk about these elections scheduled for later this year, but no policy which fails to address the likely security picture that will exist after those elections is credible, or even as useful as it could be. What better signal could be given to the guerrillas and their followers who think of victory as just around the corner than a clear indication that the United States has both a plan and the will to bring them to defeat if they opt to stay out of the democratic process now being offered them? Without a real fear of being creamed later on, why should the guerrillas lay down their arms now?

One way of sending that signal is for the United States to use its leverage and back channels to encourage the Salvadoran Government to streamline its military command—a necessary step, whether in preparation for battle or to gain better popular acceptance at home.

We cannot expect young Salvadoran troopers to perform well in the field without good leadership. These kids and every other Salvadoran are among the hardest-working people in Latin America. They are success-oriented. Just ask any foreign businessman who has had a factory in El Salvador. Yet, according to some "experts" in Washington, including advisers to the Reagan administration, the Salvadoran troops can't win because they don't have the guts, stamina or something. Nonsense. What they don't have is the kind of senior commanders that will bring out their best qualities.

The guerrilla and the soldier come from the same national stock. What the guerrilla has, however, is leadership with no alternative to victory. Cayetano Carpio, the highest-ranking guerrilla—the counterpart, perhaps, of Defense Minister Garcia—has not been buying houses in Miami lately, in preparation for exile.

Another way of signaling to Salvadoran guerrillas that the United States means business is for the White House to continue its recent direct involvement with policy-making in Central America. For far too long the president left that region in the hands of the State Department's sixth floor. The results have been inarticulateness about U.S. security interests in Central America and the Caribbean Basin, about threats to those interests posed by the Communist guerrillas, and about U.S. plans and intentions to contain those threats.

What it all boils down to is that a political solution to El Salvador's crisis has to be delayed until the insurgents have been weakened militarily. Those in the administration and Congress who choose not to believe that will continue to write policies and legislation that are preludes to surrender.

The CHAIRMAN. We will go immediately into a business session.

[Whereupon, at 11:29 a.m., the committee proceeded to other business, to resume at the conclusion thereof.]

[Whereupon, at 12:26 p.m., the committee resumed its hearing on the reprograming for El Salvador.]

The CHAIRMAN. Secretary Michel is in the room. He is not testifying. He was only here for the purpose of answering any questions that any members of the committee may have of him. Would it be the wish of the committee to proceed?

Senator DODD. Mr. Chairman, can I inquire? If we have resolved this matter, I would like to inquire as to what procedure we are going to follow. We are now in a window of 12 to 2. It is common knowledge, I think, in the committee that there will be a proposal offered in this committee with regard to the reprograming request.

As I understand it, on the basis of an objection to the unanimous consent request that the committee be allowed to continue meeting, it would be impossible beyond 2 o'clock for us to consider to vote on reprograming and on that proposal. There are two conference lunches going on at this very hour. Both the Democrats and the Republicans are meeting.

Senator Kassebaum is intimately involved in this issue. I do not know whether she is attending that Republican conference luncheon at this hour. I gather from her staff that she is. My hope would be that we would be able to have Mr. Michel here to respond to questions that both of us have and then be able to proceed to a vote on a proposal that would be made to the committee in terms of a transmitting of this committee's reaction to the reprograming request.

Our problem is, of course, we are under the gun. We have only until Thursday to express our views, so I would like to secure from the chairman, if I could, can we have an assurance that we will be allowed to have a vote on that proposal tomorrow morning? I am not, again, trying to jam something through at this particular hour.

I think it is such an important issue, and since we are under a time constraint, that procedural maneuverings to prohibit this committee from expressing its view on something as important as this I think would be a serious mistake and a serious derogation in terms of our committee responsibilities. So I would ask the Chair for some enlightenment as to what his views and thinking would be on that proposal.

The CHAIRMAN. It is certainly the feeling of the Chair that the Senate has an obligation that before we recess we express our view on this, if there are members of the committee that wish to, and I understand that Senator Kassebaum does have a resolution. Therefore, it would be my intention to move forward as expeditiously as we possibly can on that, taking into account certain Senators have certain rights and they may exercise those rights, though I will prevail upon committee members to let the committee move forward with its necessary work, taking into account the time frame that we have.

Senator DODD. It is now 12:30. Could we proceed with Mr. Michel and then have a vote, say, at 1:45 on the proposition. This gives us an hour to inquire and ask questions of Mr. Michel who is present. Then at 1:45, operating within that window, we may consider the proposal that would be offered.

The CHAIRMAN. No; that would not be at all possible because, as I understand it, most Senators will be gone at the noon hour anyway. Senator Kassebaum is not here and she is crucial to this discussion.

Senator DODD. I have a number of questions I could be asking in the meantime, and I am confident she would be here within that time frame. We could then proceed along with other Members who I am sure have questions for Mr. Michel, who are willing to forego the lunch so that we could have a vote. That way we could eliminate the necessity of having to go through this tomorrow or on Thursday morning, and we will have fulfilled our committee responsibilities.

We will have responded to this request by the administration in a timely fashion.

The CHAIRMAN. If it appears by tomorrow as though we will not have a vote tomorrow, I would ask the committee to come in just as early as we possibly can on Thursday morning and stay right in session and be here well ahead of the session so that we have a number of hours then to deliberate and debate this.

Senator DODD. Well, we run out of time at midnight on Wednesday; 12:01 Thursday morning the period would have tolled and we no longer have any right whatsoever to respond in effect, so we have 1½

hours right now when we can react. It is a very real possibility that the entire Senate may be in session all night tonight, which means that it would be impossible for this committee to vote on anything tomorrow morning, if an objection is raised for this committee to meet. Furthermore, we would be foreclosed in our first opportunity to respond to a reprograming request that this committee decided in 1981 that we deserved to have.

I am prepared to stay here, to forego that lunch, to use this time for us to be able to make that proposition.

The CHAIRMAN. The only window that we really have is, as I see it, tomorrow. I do not think there is time now, if we are to get Secretary Shultz with us sometime early this afternoon. We would not be able to do it and I am quite sure that we will not have the Senators here who are involved with it.

I do not think there is really much more we can accomplish this afternoon. Let's try to aim for the Shultz meeting as quickly as we can have that, see if we can have objections removed from our continuing this afternoon, if that is at all possible. Otherwise, we will meet in the morning and begin on this issue.

Senator TSONGAS. Mr. Chairman, maybe a compromise would be that if Mr. Michel were available for questioning now that I and Senator Dodd may propound our questions and then, to save time, so that we will not have to do it tomorrow. Is that acceptable?

The CHAIRMAN. Secretary Michel, would you mind coming forward? If you have any statement you would like to make, taking into account some of the problems that you know exist, we would be prepared to hear from you now. Otherwise, you can submit yourself to questions.

STATEMENT OF HON. JAMES H. MICHEL, DEPUTY ASSISTANT SECRETARY OF STATE

Mr. MICHEL. Thank you, Mr. Chairman. I do not have a prepared statement. I am here at the request of the committee to answer questions. I would like to make just a few remarks, if I may, in light of the discussion that has preceded my appearance here this afternoon.

As you know, the executive branch has been engaged in a review of its policy with regard to Central America and in the course of that review has held extensive consultations with the Congress over a period of several weeks. The reprograming notification that was transmitted to the Congress on March 10. The proposal for a change in the supplemental appropriation for fiscal year 1983 came out of that process of consultation and reflected the views that have been expressed by Members of the Congress.

The concerns that I heard expressed earlier today included that putting more money into the problems of Central America would not solve the problem, and all I wanted to say was that the proposal is not just to put more money into Central America.

The Secretary of State and the President have explained the policy that has been followed and that will be followed as we proceed in trying to bring a peaceful solution to that troubled situation. The recognition of need for a change of the underlying problems in the economy and in the political life in El Salvador are clearly recognized

by the administration. A key element of our policy is support for democratic reform and protection of human rights.

At the same time, these efforts at reform are hampered and impeded by the externally supported guerrilla forces who are attacking the economy. There is a need for economic assistance to support the democratic reforms. There is a need for security assistance to provide security in which the reforms can proceed and in which economic development can take place.

There is a need for long-term as well as short-term planning. The Caribbean Basin Initiative is a hope for the future of the region. There is a need to deter the "revolution without frontiers;" and there is a need to support efforts at a peaceful solution, both through internal reconciliation through a democratic process and regional efforts to strengthen democracy and reduce militarization and sources of conflict.

Mr. Chairman, we see progress being made. There are many problems that remain. We have programs to deal with those problems with a view to achieving peace in El Salvador through the democratic process. I would like to emphasize it is not just a matter of putting more money into it. It is a matter of trying to support democracy, to support economic development, while maintaining the security necessary to allow the reforms to be implemented and for the economy to develop.

I would be pleased to do my best to answer any questions that the committee may have, sir.

The CHAIRMAN. Thank you very much indeed. Could you comment on the few questions that I put to our previous witnesses on the sense of urgency about these funds and the degree to which additional training that is needed can be carried on in places other than, say, the United States or El Salvador?

Are there other countries that we have discussed this matter with that would be willing to have the training carried on by our advisers on their soil rather than require the etraordinary cost of bringing forces up to the United States to Fort Bragg or adding additional personnel, which the Congress is reluctant to do, to El Salvador, raising our level of advisers there?

Mr. MICHEL. Mr. Chairman, we are indeed sensitive to the concerns that have been expressed about training in El Salvador if that were to involve an increase in the number of United States personnel there. The schools that exist, the facilities that are already present in Panama, suggest one possibility.

There have been discussions about training within the United States and in nearby countries, and there has been nothing settled on that score. Indeed, much has to be determined in light of the availability of the funds. But certainly an effort will be made to avoid the exceptional costs of training in the United States by bringing large numbers of people here or increasing the number of United States personnel in El Salvador to do the training in large numbers there, and to see what are the most cost-effective ways in which we can train the Salvadoran forces.

I would also like to emphasize that this training is a substantial part of the plan for the military assistance that we wish to provide. There is a need to train more of the Salvadoran forces in order to improve

their capacity to take the initiative and to deal effectively with the situation once they have obtained control over the territory, to follow-up and support the safety of the people who live there.

The present training that we have been providing reaches about 1 in 10, and we would hope through this increased training effort to reach approximately 50 percent of the Salvadoran forces and in that process to increase the number of Salvadoran-trained personnel to deal with the very serious security situation in that country.

The CHAIRMAN. Thank you very much.

Senator Tsongas.

Senator TSONGAS. Just a couple of questions and then I will defer to my colleague. Can you tell me roughly what the ratio is of American military aid to the Government of El Salvador compared to the aid we believe the guerrillas have gotten from their sources?

Mr. MICHEL. I cannot quantify that, Senator, no. The guerrillas are receiving and acknowledge receiving support from outside. We know that arms come to Nicaragua. We know that arms go from Nicaragua to El Salvador. This is done clandestinely. It is done in planes that fly at night without lights. It is done by boats that proceed secretly, and it is done by trails through the jungle.

It is not something that is easily measurable. Also, it is a very different proposition to train and equip a guerrilla force that is going to go out and blow up the bridges or powerlines or the water system, and another thing to train and equip an army which is trying to protect those basic elements of the economic infrastructure and at the same time make the place safe for the people.

You know, we have a training program also that has the element of trying to improve the discipline and responsiveness of these forces. We have heard the complaints about the attitudes within the Salvadoran forces and the need for training in human rights. I do not know what kind of training the guerrilla forces have, but we are talking about apples and oranges, I think, when we are talking about support for a small guerrilla force which hits and runs and we are talking about, on the other hand, training for a national army which is to defend the territory and defend the people.

Senator TSONGAS. Implicit in that answer is the assumption that there is a heck of a lot more military aid going to the Government of El Salvador than the leftist guerrillas are getting.

Mr. MICHEL. I would be surprised if it were the other way around. I think that is probably right, but for reasons that I think are good reasons.

Senator TSONGAS. If I remember correctly, the ratio of aid in Vietnam was like 7 to 1, $7 of what we put in compared to $1 that the Viet Cong had available to them. Would it be in the same general ballpark?

Mr. MICHEL. I really would have to try to provide an answer for you. I do not have that. Let me see if we have that.

[Pause.]

The CHAIRMAN. Senator Tsongas, may I turn the Chair over to you, and if you could just recess the meeting when you and Senator Dodd have completed? Thank you.

Senator DODD. Mr. Chairman, before you leave, so that I understand what we are doing, we will conclude here with Mr. Michel. At that time you will be satisfied that we have completed the hearing and then it will be just a matter of voting?

The CHAIRMAN. For discussion, yes. It would be a matter of discussion by the committee.

Senator DODD. And then a vote?

The CHAIRMAN. And then working toward a vote, yes.

We have no further witnesses to be called.

Senator DODD. Is it also your intention to have a vote on this matter before midnight Wednesday night?

The CHAIRMAN. The deadline is Thursday, and I will be prepared—certainly it would be our intention to vote before Thursday. Before, as I said at the opening, the intention would be to vote certainly while the Senate has that right and before the recess.

Senator DODD. Would it be your intention to vote before the deadline runs out?

The CHAIRMAN. Oh, yes, absolutely.

Senator DODD. Could I further inquire as to whether or not it would be possible to vote. Since we already have an item on the agenda for tomorrow morning in the case of this memorandum that Senator Tsongas has raised. I would like to inquire of the Chair whether or not it would also be possible to pursue, at that time, a vote on a proposition that would be offered at that time. If we would be able to vote on both of those matters prior to going into session or suffering from the procedural restraints to be imposed by a single Senator's objection on the floor of the Senate?

The CHAIRMAN. You are referring to specifically the Kassebaum proposal which is joined, I believe, by yourself and other Senators?

Senator DODD. Yes; that is correct. That is the proposition.

The CHAIRMAN. We would want to move toward discussion of that and voting on that particular issue.

Senator DODD. Tomorrow morning?

The CHAIRMAN. As soon as we can.

Senator DODD. Could that be an agenda item tomorrow morning?

The CHAIRMAN. We will put that down on the agenda to move into that. I do not think there is anything else that we have other than, obviously, to cover the entire markup, but——

Senator DODD. Well, we are not going to do the entire markup—this would be a separate item, not part of the markup, is that correct?

The CHAIRMAN. Yes, it is. It is a separate item.

Senator DODD. We would vote separately before we go to the markup?

The CHAIRMAN. The Chair cannot give you an absolute guarantee that the vote will be completed, but we can certainly begin the process. I cannot control how long people will talk on it.

Senator DODD. My point is this. I want to make sure that it is an item distinguishable from the markup of the authorization bill, that we will complete action on reprograming before we do anything on that.

[Pause.]

The CHAIRMAN. I do not think there is any disagreement about it. The Kassebaum amendment is a part of the reprograming.

Senator DODD. Correct, but there was some concern being expressed——

The CHAIRMAN. That would be taken as a separate item.

Senator DODD. Before addressing the markup on the authorization bill?

I cannot hear what is being said.

The CHAIRMAN. The Kassebaum amendment only deals with El Salvador.

Senator DODD. It deals with reprograming.

The CHAIRMAN. Certainly we can take that ahead of all of the other items that are non-El Salvador items.

Senator DODD. No, no; I am not making my point clear. Reprograming is a separate agenda item, much as the memorandum is, for instance, on dealing with the Adelman situation. What I am inquiring is whether or not we can deal with that issue separately and entirely distinguishable from any markup of the general authorization bill.

This is on a specific reprograming request. We are responding to that specific request.

[Pause.]

The CHAIRMAN. The procedure that I originally outlined was to vote on the Kassebaum amendment, then move to other items on reprograming. But the Kassebaum amendment would be taken up first.

Senator DODD. All right. That would be a separate and distinct item, the reprograming?

The CHAIRMAN. It is a part of reprograming.

Senator DODD. We are required to respond to the administration within 15 days. My concern is that if we go on we can come back after Easter and deal with the rest of the reprograming and never have complied with the 15-day statute. So we have to finish reprograming by tomorrow or we will have not dealt at all under the guidelines that are set out by law.

The CHAIRMAN. My intention is to be certain that we preserve our right which was guaranteed us 2 years ago by Secretary Buckley, that we would be treated on a parity with the Appropriations Committee with respect to reprograming.

Senator DODD. That is correct.

The CHAIRMAN. And we would have a right and have 15 days to take action that would reverse reprograming that they intend to take, and that that would be binding and they would honor that.

Is there any difference of opinion in the administration as to the understanding that we have had on that, which was very clear to this committee, made clear to us by Secretary Buckley?

Senator DODD. In fact, Mr. Chairman, what I would do at this point is ask unanimous consent that—I have not only the transcript but the Buckley letter, and I would ask that that be made a part of this particular hearing. It is rather explicit, both when I offered the amendment, withdrew a part of the amendment, and the understandings transmitted by the administration at that hearing. I would ask that that all be made a part of this record.

The CHAIRMAN. Without objection, it will be made a part of this hearing record.

[The material referred to follows:]

MARKUP

S. 976: International Security and Development Cooperation Act of 1981;
S. 869/S. 728: El Salvador Assistance Act of 1981;
S. 848: Peace Corps Act Amendments of 1981;
S. 993: The Overseas Private Investment Corporation Amendments Act of 1981; and
S. 785: International Bank for Reconstruction and Development Capital Increase, and Related Legislation.

WEDNESDAY, MAY 6, 1981

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 9:58 a.m., in room 4221, Dirksen Senate Office Building, Hon. Charles H. Percy (chairman of the committee) presiding.

Present: Senators Percy, Hayakawa, Mathias, Kassebaum, Pressler, Pell, Biden, Sarbanes, Cranston, and Dodd.

The CHAIRMAN. This hearing of the Foreign Relations Committee is a markup session for the following bills:

S. 976, the International Security and Development Cooperation Act of 1981; S. 869/S. 728, the El Salvador Assistance Act of 1981; S. 848, the Peace Corps Act Amendments of 1981; S. 993, the Overseas Private Investment Corporation Amendments Act of 1981; and S. 785, the International Bank for Reconstruction and Development Capital Increase and related legislation.

The procedure for the benefit of Senators and members of the staff upon which Senator Pell and I have agreed is the following:

* * * * * * *

The CHAIRMAN. We go next to item 22, to which I understand Senator Dodd has an amendment.

Senator Dodd, I am familiar with your amendment. Would you proceed to describe it while I take a quick phone call?

Senator DODD. Fine, Mr. Chairman. Thank you very much.

I will go over the points of my amendment. I believe members of the committee have copies of the amendment.

It is for reprograming authority. It is an amendment to section 634(a) of the Foreign Assistance Act. Rather than read it, I will explain what the amendment will do.

This amendment is offered because of the administration's recent reprograming request, which shows a clear willingness to meet current priorities by rearranging some of our previous commitments and then borrowing upon future funds as they come up.

While I do not object to that, my concerns run to the role that we, the Legislative Branch, play in that particular process.

At a time when every one of us realizes we are facing painful budget cuts, I think it is only fair that the administration subject new spending priorities to the political process to which all spending must be subjected, even, of course, those in the reprograming area, unless an emergency exists.

We have undertaken the long authorization and appropriations process because historically the Congress has a central role in appropriating funds. Not only is this role historic, but it is Constitutional. This committee, in particular, establishes the policy rationales for many of the security, military, and development commitments of this country overseas. However our many long hours of work and careful decisions can be undone, literally, by the stroke of a pen under our present reprograming mechanism. There is, frankly, little or nothing that we can do, particularly this committee, the authorizing committee.

This amendment is not merely an academic concern. At a time of diminished budgets and scarce prospects for the contingency funds and with an expanding policy role for foreign assistance, reprograming requests are likely to arrive here in ever-increasing numbers, or so I would expect in the months ahead.

An example of course, and the reason that I even became aware of this particular provision, was because of the desire by the administration to reprogram some $88 million for Liberia and El Salvador. We were informed of this, we on the committee, but under the present law, that is about all that is required.

The amendment which I am offering would strengthen the existing section 634(a). Currently, this section requires only a 15-day advance notification to the Appropriations and Foreign Relations Committees of both the House and the Senate. Informally, though not in law, the Appropriations Committee also has carved out for itself the right to veto any reprograming request. However, although we have the lead policy role in foreign affairs, this committee never has sought, nor has it ever been given, such control over reprograming funds.

This amendment would establish the principle that any administration should seek new funding for new programs unless extraordinary circumstances prevail—

that is, going through the supplemental appropriations process rather than through the reprograming process.

Further, that we know what we are giving up for what we are getting, the administration should have to detail the source of the reprograming funds as well as the policy rationale for the reprograming.

There is no requirement presently that we even known where the funds are coming from necessarily or, for that matter, what the policy rationales are for redistributing them to other countries because of the needs that they may have.

This amendment also would give the Congress the power of a legislative veto over reprograming requests under procedures similar to those currently set up in Section 36(b) of the Arms Export Control Act.

As a matter of course, except for requiring a longer 30-day period for Congressional consideration, I would expect that this amendment would pose no difficulties for the vast majority of reprograming requests. I cannot imagine that we would be getting into vetoes. The overwhelming majority would be taken care of in that way.

A Presidential waiver of Congressional veto also is available in truly emergency circumstances. If the administration says this is a matter affecting national security, it is an emergency, a statement to that effect immediately obviates the possibility of a Congressional veto, merely on the administration's statement of the circumstances. So we are providing them with an out so that we do not get tied up in a long, Congressional delay of activity which could harm our own national security interests.

Really, this is an effort to try to give us a greater say and control, as a committee, in major foreign policy decisions.

I think this committee deserves to have an equal status in place as an Appropriations Committee, given the fact that we set the policies in the authorizing committee.

That is the purpose of the amendment, Mr. Chairman, and I would be delighted to try to respond to any questions anyone may have.

The CHAIRMAN. Thank you, Senator Dodd.

Are there any comments?

Senator KASSEBAUM. Mr. Chairman.

The CHAIRMAN. Senator Kassebaum.

Senator KASSEBAUM. I would like to ask for some clarification.

Senator, are you suggesting that we go to the legislative veto concept in order to give us greater control here?

Senator DODD. That's correct.

Senator KASSEBAUM. The Appropriations Committee can just turn down any reprograming request. Why can't we have that same power?

Senator DODD. Correct. Under the present agreement, the Appropriations Committee has that power.

Senator KASSEBAUM. That's right.

Senator DODD. We do not.

Senator KASSEBAUM. Why not? Wouldn't it be perhaps more beneficial by way of process?

I am leery of utilizing a legislative veto too often. Why not have that same power here in this committee?

Senator DODD. Why not have the power to veto it?

Senator KASSEBAUM. To turn down a reprograming request. Have it go to both committees, in other words. You could have jurisdiction in both appropriations and here, couldn't you?

Senator DODD. I don't know if we could do that.

Senator KASSEBAUM. It seems to me that this might possibly be a way to——

Senator DODD. The only way you could do that, I suppose, would be if the chairman were to get that agreement from the administration saying that we would have that power here.

If that were the case, my only concern at that point would be this. I would be willing to see that kind of request made of the administration. If they would give it to us, we could set it for a time certain, so that it is before the Foreign Assistance Bill comes up on the floor of the Senate. If they are or were to turn us down, I would like the option to be able to go and ask for the authority from the full Senate. If they are willing to give it voluntarily, there is no reason for that. So we are not foreclosed.

The CHAIRMAN. Senator Dodd, possibly I could give you the assurance I have that begins the process, and you can work with Mr. Bolton to see how much farther he would be able to go.

In a letter from Peter McPherson to me, he says the following: "It has come to my attention that *members of your committee have* expressed concern over the extent of consultation to the committee incident to reprograming of funds by AID. Specifically, I understand that some members feel that AID treats objections or requests for information from Appropriations Committee members and staff differently than from similar objections or requests made by members of the Senate Foreign Relations Committee. Let me assure you that this is not the case."

I believe I left the original of this for you before you came in.

"The Foreign Assistance Act requires AID to submit notifications of its intentions to reprogram funds to both authorizing and appropriations committees at least 15 days in advance of the obligation. It is our practice to consider fully objections to proposed reprograming raised by members and staff of all committees involved and to put a hold on such projects in order to provide time to resolve problems raised by the reprograming."

I know Senator Helms would be happy to hear that they put on holds also.

[General laughter.]

The CHAIRMAN. "We welcome the opportunity to work closely with members and staff of our authorizing and appropriations committees to insure that, to the maximum extent possible, Congressional concerns are satisfactorily addressed.

"AID has been specifically requested by the Senate Appropriations Committee to submit a quarterly report of reductions or cancellations of projects or programs contained in our Congressional presentation.

"I would be happy to see to it that your committee receives copies of this report as well.

"I would be glad to provide any additional information you may require."

I think the informal arrangement that has been worked out by the Appropriations Committee may be a satisfactory way to proceed. This covers AID only, and we may want to get a similar agreement for military aid as well, using the Dodd principle that it ought to cover all programs.

Senator DODD. I appreciate the chairman's efforts in this area, but I guess my concern is that we are still left basically with what we presently have. That is, they do have an obligation to notify us of their intention to reprogram. There is no requirement that they spell out why, or the policy considerations and so on. The distinction is that the Appropriations Committee has the power, by agreement, to veto. It seems to me that if we are the ones who deal with these policy considerations, we ought at least to have the same power as the Appropriations Committee.

Under this agreement with AID, really, all we are getting is basically what we have right now—notification. They will sit down at a table with us and say, "This is what we are going to do." We are interested in your comments, and I am sure they will be polite. But that is about the extent of——

Senator PRESSLER. May I ask a couple of questions, that is, if Senator Kassebaum has finished her questions.

Senator KASSEBAUM. I'm finished.

The CHAIRMAN. Senator Pressler.

Senator PRESSLER. I think Senator Kassebaum's question was excellent. I am trying to understand the amendment because I believe I am inclined to support it, so my question is a friendly one.

Could we have a recent example of what you are describing. Would it be, for example, some of the reprogramed funds for El Salvador?

Senator DODD. There was a decision to take some funds from Egypt and Israel and give them to Liberia and El Salvador, some $88 million.

Senator PRESSLER. Did this go to House Appropriations?

Senator DODD. Yes; and they also notified us. We had a briefing. In fact, I think Senator Pell and I, along with some others, may have been at it. They asked us to go to room S–116 and told us what they were going to do.

Senator PRESSLER. But they had to simultaneously go to the Appropriations Subcommittees for actual approval, didn't they?

Senator DODD. That's correct.

Senator PRESSLER. What you are saying is this would add an additional step. They also would have to come to the Foreign Relations Committee for a vote, potentially, if someone asked for a vote?

Senator DODD. Absolutely. That's correct.

Senator PRESSLER. Presently, this committee does not have that authority?

Senator DODD. No, no authority. I also give them the out, that if they come to us and say this is a national emergency, this is a national security issue, then we do not have any power at that point to go forward with a legislative veto.

I do not want to have us being obstructionist in terms of any administration trying to exercise an important policy decison. So I would provide that waiver, in effect.

The CHAIRMAN. Senator Dodd, it really would seem to me that we really have accomplished your purpose with your raising the issues the way you have. The assurances we have received have been excellent. The committee retains far more control under the informal procedure than we would formalizing a procedure which would require a concurrent resolution, which would be extraordinarily difficult to get.

Senator DODD. That's what I was driving at a few minutes ago. If the administration were willing to tell you on your request that we would like that same understanding that the Appropriations Committee has—that is an understanding that the Appropriations Committee had and not a part of the legislation that we would have that same authority, when I would be willing to withdraw that part of the amendment. But I would still like to require that they spell out a little more in detail the policy considerations.

But I would withdraw the amendment with regard to the legislative veto. But I would like to have them give you that assurance before the bill went to the floor of the Senate, quite honestly. I say this because if they did not want to, I would like the option of going forward with the amendment at that particular time.

The CHAIRMAN. I certainly could support it if it were to be limited to spelling out greater detail. We could work out informal arrangements.

Mr. Bolton, you have it in your authority now to resolve this matter with a clear-cut statement and assurance for Senator Dodd.

Senator DODD. I just want to be sure that we understand the situation. There will be a request that this committee receive the same veto authority and power that the Appropriations Committee has.

Mr. BOLTON. Senator Dodd, it is not quite correct to say that the Appropriations Committee has a veto. We obviously would be very reluctant to proceed in the face of objections from that committee and we would propose, as Mr. McPherson's letter says, to treat this committee exactly as we do the Appropriations Committee when a reprograming request comes up.

Senator DODD. Do you mean the Appropriations Committee does not have veto power?

Mr. BOLTON. No.

Section 634(a) of the Foreign Assistance Act covers it.

Senator DODD. But they have held up requests in the past?

Mr. BOLTON. Yes. As Mr. McPherson's letter indicates, we have put a hold on those reprograming suggestions.

You would be treated in exactly the same way.

The CHAIRMAN. We would be on a parallel course. Though it is not a legislative veto, which I do not like, in a sense it really does have a good deal of impact.

Mr. BOLTON. Mr. Chairman, as you pointed out, I think under the informal arrangement your influence is probably even greater.

The CHAIRMAN. We would have much more authority, as I would see it.

Mr. BOLTON. Yes.

Senator DODD. Could we get the same agreement from State?

The CHAIRMAN. I think it is a very good point.

Senator Kassebaum.

Senator KASSEBAUM. Mr. Chairman, staff has pointed out something that I think it is beneficial to recognize here. We can, through a section that already is in the Foreign Assistance Act, vote down any resolution, or terminate it by concurrent resolution. Section 617, termination of assistance, already is a legislative recourse that we have on the floor, which, it would seem to me, would give us the same avenue that you were seeking, to be able to reject a plan that we were not supporting. Is that not right?

Senator DODD. We examined that as one of the options that exists. But there seems to be some question as to whether or not you would have to reject the entire program or whether you would have the power to reject just a part of it.

Since reprograming may affect only a portion of the dollars involved, then there is some question as to whether or not you would be able, through that mechanism in section 617, to deal with an objection to the reprograming.

But that is an open question. I am not sure whether or not you can do this. I am not sure that you can't.

The idea was, rather than go that route, if we could get this kind of understanding, it would achieve that result without having to engage in additional, new legislation.

Mr. Chairman, are we also going to make the same request for ESF and for State as well that we have made?

The CHAIRMAN. Yes.

Senator PRESSLER. Let me get in on that, if I may. The reprograming of defense funds goes to the Appropriations Committee. Does it also come informally to us or to the Armed Services Committee? How does that work?

Senator DODD. That is what we are asking for right now. We are going to ask for the same authority for Defense, State, AID, and FMS, under Defense, which presently exists for the appropriations for reprograming.

Is that correct?

Mr. MANTEL. Senator, with regard to the security assistance programs involved, the military assistance program and IMET, I can assure you that we will treat very seriously any objections or concerns that are raised by both the authorizations and Appropriations Committees.

Senator DODD. We are parallel with the Appropriations Committee, then?

Mr. MANTEL. Parallel.

Senator DODD. Mr. Chairman, I would withdraw that amendment and, if I may, substitute one which would spell out what the notification should include in a bit more detail than we presently have.

It is drafted in pen and I will read it very slowly. It would add the following sentence. At the end of section 634(a), at the end of the current provision, it would say, "Such notification shall specify: (1) the nature and purpose of such proposed obligation; (2) the nature and current use of the appropriated funds for such proposed obligation; (3) the reason that such proposed obligation could not be made out of newly appropriated funds; and (4) the national interest of the United States in such proposed obligation."

Those four things could be specified. I would like to put that forward as a substitute.

The CHAIRMAN. Senator Dodd, I fully support your substitution. You are withdrawing your original amendment, then, and are substituting the amendment which you just read, which really constitutes the last six lines of the first paragraph in your original amendment, with the additions that you have given.

Senator DODD. Yes.

The CHAIRMAN. I fully support that.

Is there objection to the amendment offered by Senator Dodd?

[No response.]

The CHAIRMAN. Without objection, then, the amendment is approved. I thank you very much for a major contribution which you have made.

Senator DODD. Thank you.

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[From S. Rept. No. 97-83, 97th Congress, 1st Session]

THE INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1981

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Section 705—Notification of program changes

The Committee adopted an amendment, introduced by Senator Dodd, which amends Section 634A of the Foreign Assistance Act directing that program change notifications include information concerning (1) the nature and purpose of the proposed obligation; (2) the program or source from which such funds are being reprogrammed, (3) the rationale for the proposed obligation; and (4) specification of the national interest of the United States in the proposed new obligation.

Present law calls for the Committees on Foreign Relations in the Senate, Foreign Affairs in the House, and Appropriations in each body to receive fifteen days in advance, notification of any increase in obligation of funds previously authorized and appropriated under the Act. Under law, Congress has no formal power to block any reprograming of assistance. However, through an informal arrangement, the Executive Branch has not proceeded with those reprograming proposals objected to by a majority of the Members of either appropriations committee. Though accorded the primary policy role in the appropriations process. The Foreign Relations Committee has never assumed such a role over reprogramming results.

For the authorizing committees, long hours of careful legislative decision can be subsequently undone, with no effective control, under the current reprograming process. Moreover, reprograming notifications are a matter of increasing concern. At a time of diminished budgets, minimal contingency funds, and an expanding policy role for foreign assistance, reprograming notifications are likely to come up to Congress in ever-increasing numbers and for significant amounts. For instance, the Administration recently proposed to draw $88.5 million in fiscal year 1981 funds from several "earmarked" accounts for reprograming of assistance to Liberia and El Salvador.

The Committee amendment would expand and specify the notification requirement of section 634A. The amendment would require that for any reprograming proposal, the Administration submit a certification setting forth the nature and the purpose of both the present and proposed use of previously appropriated funds. Further, the amendment would require the President to certify the reasons necessitating a reprograming, rather than a supplemental appropriation, of funds for the stated purpose. Finally, the amendment would require a certification of the foreign policy reasons supporting the proposal.

AID Administrator M. Peter McPherson sent a letter to the Chairman stating the practice of AID "to consider fully objections to proposed reprograming raised by members and staff of all committees involved, and to put a 'hold' on such projects in order to provide time to resolve problems raised by the reprogrammings." In debate and under extensive questioning from the Chairman and other Committee Members, both AID and State Department officials further pledged that the informal objection arrangement worked out with the appropriations committees would be extended to the authorizing committees. AID officials affirmed that reprograming objections from any of the Committees involved would be treated "in exactly the same way."

Under Secretary of State James Buckley sent a similar letter to the Chairman concerning these programs under the primary jurisdiction of the Department of State. His letter follows:

UNDER SECRETARY OF STATE,
FOR SECURITY ASSISTANCE, SCIENCE AND TECHNOLOGY,
Washington, D.C., May 13, 1981.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations,
U.S. Senate.

DEAR MR. CHAIRMAN: I am writing to convey the position of the Department of State with respect to expressions of concern that may be raised by the Committee in connection with proposed reprograming actions notified to the Congress pursuant to section 634A of the Foreign Assistance Act of 1961, as amended, and involving programs for which the Secretary of State exercises policy responsibility.

In this regard, I can assure you and members of the Committee that we will give full consideration and great weight to the views of the Committee, in particular to any objections to the proposed action. We will make every effort to resolve differences before proceeding. I can further assure you that the Department will accord expressions of concern from the Committee on Foreign Relations the same degree of attention and seriousness as those from the Committee on Appropriations.

Sincerely yours,

JAMES L. BUCKLEY.

* * * * * * *

Mr. MICHEL. Mr. Chairman, if I may respond to your question about the administration's view, the law on reprograming is in two parts. There is a provision in the Foreign Assistance Act that says notifica-

tion shall be given 15 days in advance of any obligation of funds to the Appropriations Committees and to the Foreign Relations Committee in the Senate and the Foreign Affairs Committee in the House.

There is a broader request for funds under the Foreign Assistance Act. There is a broader provision in the appropriations legislation. which is continued in force by the continuing resolution, which calls for 15 days advance notification to the Appropriations Committee for other foreign assistance programs for which funds are provided in the appropriation act.

The letter that Under Secretary Buckley sent to the committee I understand indicated that the views of the Foreign Relations Committee would be given the same weight as the views of the Appropriations Committees. It was not my understanding that it accepts those views as binding, because the law does not provide that those views are binding, and I think for good reason.

There is a constitutional issue here as to whether a committee or a series of committees can take action that would have the effect of a law.

Senator DODD. Let me inquire of you. There is nothing in the law that says that the opinion of the Appropriations Committee in effect is binding.

Mr. MICHEL. That is my point, sir.

Senator DODD. By tradition it has been an understanding between every administration and every Congress, since that understanding went into effect that a transmittal from the Appropriations Committee to an administration modifying or rejecting, whatever it might do with the reprograming request, would be followed, would be adhered to.

We were asking in 1981 for that same consideration. I am presuming that tradition will be followed. It is not by statute.

The CHAIRMAN. If there has been any exception to that, this committee would like to know, because it is our understanding there has never been an exception to that. The executive branch has followed the request of the Appropriations Committee.

Senator DODD. It has been tradition. It is not by statute even from the Appropriations Committee.

The CHAIRMAN. That is right, it is by tradition and that was the assurance that we received from Secretary Buckley and the conditions under which we accepted that.

Mr. MICHEL. I am unaware, Mr. Chairman, in my experience of a situation where we have had a confrontation over this issue. In practice, I am unaware of any commitment having been taken across the board that is broader than the law.

The CHAIRMAN. Thank you very much.

Senator DODD. But Mr. Chairman, as I understand it we will finish, it is the commitment of the Chair to finish reprograming before 12 o'clock, 12:01 on Thursday morning, so that we will be able to comply with the 15-day requirement, which is absolutely certain. On that there is no question at all about our obligations to respond to the administration within that time period.

Mr. MICHEL. There is no law that is relevant, I think, to the Foreign Relations Committee on the portion of the reprograming that deals with funds outside the Foreign Assistance Act.

Senator DODD. Well, it is my understanding that the amendment that I had offered—I am quoting now the administration:

Mr. Mantel says. "Senator"—referring to me—"with regard to security assistance programs involved, the military assistance program and IMET, I can assure you that we will treat very seriously any objections or concerns that are raised by both the authorizations and appropriations committee.

"Senator DODD. We are parallel with the Appropriations Committee, then?

"Mr. MANTEL. Parallel."

Now, you can read that any way you want, but the understanding of this committee was that it was not just foreign assistance. I specifically went in and talked about security assistance and IMET, military assistance programs.

Mr. MICHEL. That is under the Foreign Assistance Act.

Senator DODD. And for FMS.

Mr. MICHEL. Well, that is in the transcript, you are saying, of the hearing.

Senator DODD. That was the background of the amendment. I offered the amendment and we had a discussion in committee at that time as to what the intent of my amendment was. And the administration—we went through this rather laboriously because I wanted to make sure we had the same understanding that the Appropriations Committee did.

That was the whole purpose that is laced throughout this transcript, that we be considered equal along with the Appropriations Committee on reprograming requests throughout. We were not playing games with particular programs. We felt that on foreign assistance matters, military or economic, and that we should be consulted and given the same weight and consideration that the Appropriations Committee receives.

And at the request, in fact, of the Chair, I modified the amendment, because I had a legislative veto included in my amendment, and I withdrew that because we had reached an understanding. And then, of course, Mr. Buckley responds and says in effect, I can assure you that the Department will accord expressions of concern from the Committee on Foreign Relations the same degree of attention and seriousness as those from the Committee on Appropriations.

We can monkey around with this thing, and I would just as soon not make it statutory, which is the next step, because I would like to see this process work as it has in the past. But it seems to me that the understanding of this committee and I believe the administration at the time was that this committee would be given the same weight and concern that the Appropriations Committee gets.

Mr. MICHEL. I am not contradicting that, Senator Dodd. I just thought you said that this was a matter of law, and I just wanted to make that clear.

Senator DODD. No; I understand the history of it.

The CHAIRMAN. I just should say, if I am to arrange the meeting with Secretary Shultz I need to leave right now.

Senator DODD. Mr. Chairman, I thank you for your reassurances.

The CHAIRMAN. I will be having some amendments to the Kassebaum amendment. We will go over those with Senator Kassebaum and staff. In the meantime, I am anxious that we can get to this promptly and deal with it.

Senator DODD. Maybe as a last——

The CHAIRMAN. Certainly I will be working toward the deadline, taking into account that the committee wants to act and *should* act prior to the deadline.

Senator DODD. Can I make this final request of you, Mr. Chairman, before you walk off? We have scheduled 10 o'clock tomorrow for a time certain at the latest to consider the matter involving Mr. Adelman and the memorandum, unless we can do it earlier today.

Could I make a similar request of you, that we set tomorrow at 10 a.m. as a time certain at which we will deal with this issue as well? That way, in terms of communicating to other members of the committee and so forth, we can get people here, we do not have to wait around all day for it.

The CHAIRMAN. We would go directly into this matter following the Adelman.

Senator DODD. Thank you.

The CHAIRMAN. It is not a vote. We go right into the matter.

Senator DODD. With a vote to follow?

The CHAIRMAN. Well, we vote whenever we can. But as I say, I will be offering amendments to it and I would want the votes on my amendments as soon as they have been discussed.

Senator DODD. Can we have copies of those amendments?

The CHAIRMAN. We are going to give those out right now.

Senator DODD. Thank you. Mr. Chairman.

Mr. MICHEL. Senator Tsongas, I have had an opportunity to consult and confirm that we have no figure of the ratio of assistance provided to the Government of El Salvador and the amount of assistance provided to the guerrillas. I am familiar with the 7 to 1 ratio that you have cited that was estimated for Vietnam.

I would just like to add that we have heard the Vietnam parallels and do not accept the proposition that El Salvador is Vietnam.

Senator TSONGAS [presiding]. Who suggested that?

Mr. MICHEL. Well, you asked about a ratio of assistance level and said, is it the same or about the same as it was in Vietnam.

Senator TSONGAS. I am not familiar with what the assistance level was in Malaysia, for example.

Mr. MICHEL. Well, I did not want to leave it that Vietnam analogies are the applicable standard by which to evaluate the situation in El Salvador or what we are trying to accomplish there.

Senator TSONGAS. I have often made the statement that El Salvador was in my mind not Vietnam, if for no other reason that there is a Congress opposed to another Vietnam taking place. So by definition it cannot be a recurring theme.

How would you describe the military situation in El Salvador? If I gave you the choice between stalemated and rapidly eroding, which of those two would you be more comfortable with? I will give you "improving" too, if you want to have a third alternative.

Mr. MICHEL. I think I would be more comfortable, given that choice, with stalemating, in this sense, that in recent months the guerrillas have taken the initiative and the Government of El Salvador has been in a reactive mode. This leaves the security situation very serious, with the guerrillas in a position to make the attacks on the bridges, where they have destroyed 50 of some 255, where there have been thousands

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of interruptions in the electrical power supply, hundreds of sabotage attacks on the water supply, and so on.

The prolonged war, the wearing down approach by the guerrillas, is a risk. The Secretary has described a situation that is serious but not critical. It can become critical if the government forces do not take a more vigorous resistance to the guerrillas and provide a more effective shield behind which the government of El Salvador can proceed with the efforts to implement political reforms and economic development.

Senator TSONGAS. The prevailing wisdom is that neither side can win this matter militarily. Do you subscribe to that view? That has been the diagnosis going back a couple of years now. Is that still the case?

Mr. MICHEL. Well, that would depend, I suppose, on what each side puts into it for the future. The administration policy is predicated on the proposition that what is needed in El Salvador and what should be sought in El Salvador is a political solution. The Government of El Salvador is proceeding along the lines that I described earlier, with efforts to achieve reconciliation through a democratic process.

I think the real difference that we have here is that the guerrillas, I believe, hope to achieve either a military victory or sufficient military pressure to obtain a share of the government outside the democratic process. The Government of El Salvador, with our support, is seeking to achieve peace through a national reconciliation in a democratic process.

Senator TSONGAS. If you do not get the reprograming money, are you suggesting that the description of stalemate would no longer be the case? You are not suggesting, are you, that if you do not get the reprograming money that the domino will fall within this calendar year?

Mr. MICHEL. It is hard to predict what will happen. We do know that the limited funds available under the continuing resolution have been spent. I believe the last of the ammunition has been delivered, it is en route. The only other item I think that is undelivered is some communications equipment which is on order.

For the Salvadoran Army to take the initiative, to provide the effective shield for the evolution of the democratic system that we are trying to install, and to protect the economic infrastructure against these sabotage attacks, there is an immediate need. This has been identified as a $60 million requirement to provide communications gear, to provide ammunition, to provide training, to provide transport.

Senator TSONGAS. I understand that. But I am just trying to ask the same questions I asked at the closed hearing last week. I am trying to arrive at the same answers. Perhaps you might talk to those people from the CIA who did the briefing last week and at least hear what their perspective is on that particular question.

Mr. MICHEL. You could make the evaluation of chaos if the Salvadoran forces are unable to carry out the program.

Senator TSONGAS. You could equally make the evaluation that if the money does not go you will have continued stalemate.

Mr. MICHEL. Well, you certainly do not have, if the money does not go, the ability to protect the people, to protect the economy, in ways that allow the efforts to achieve a democratic political solution to move forward. We have seen some encouraging developments. We have seen

the Human Rights Commission form, and they are beginning to investigate human rights abuses. We have seen a Peace Commission form.

We have seen the land reform program, which was in jeopardy, revitalized, and a vote taken in the Constituent Assembly to extend it through the end of the year. A political process is taking place.

Senator TSONGAS. How much of that is indigenous? How much of that is a direct result of U.S. pressures?

Mr. MICHEL. We are encouraging these steps, but these are steps that are being taken by the Government of El Salvador, that seems to be determined to achieve a democratic system. This is what we are supporting.

I am not answering your question?

Senator TSONGAS. No; I think you answered it all too well. That is the problem. Obviously, in private conversation we would agree that much of what is being done down there in terms of reform is a result of pressure by the Government of our country saying, if you do not do these things and those things, that the Congress will cut off aid.

The concern I have is, to the extent it is not something indigenous and strongly felt by the Government, that it is artificial and therefore will not be implemented in any serious way, such as the investigation, for example, of the four murdered churchwomen. If that was not really their determination to carry that through to justice, then the likelihood would be that it would fail along the way, which is obviously what has happened.

Mr. MICHEL. I do not agree that that has happened. What we have is another interim judicial decision that has referred the case back to a lower court. But the people who are the defendants in that case remain in custody. The charges are not dismissed. And there were complications with the evidence under their rules. That is not a happy development from our standpoint, but it is a decision that was made in their judicial process.

If the question is, in the Government of El Salvador seeking assistance from the United States and putting on a show of seeking democracy in order to get the assistance money, but does not really want democracy, I do not have——

Senator TSONGAS. No; I never questioned the issue of democracy. My question came in terms of land reform, which as you know was very shaky for a long time, as you just said; and secondly, the commitment to stop some of the violence. Those are the two issues I am most concerned with.

Mr. MICHEL. I am sorry, I did not hear that.

Senator TSONGAS. The first was land reform, the second was to try to stop the use of violence by the military, excessive violence.

Mr. MICHEL. The land reform was inaugurated, as you know, by the government that took power in 1979 before the elections. The elections in 1982 involved, as you know, a large voter turnout, which I suggest to you indicates there is something more than the U.S. Government that is an influence there, that there is a desire by the people to have a democratic system, or you would not have 80 percent of them turn out despite threats by the guerrillas.

Senator TSONGAS. I have no quarrel with you on that part of it.

Mr. MICHEL. The tradition in terms of the way armies behave and the way wars are fought has been one that would not conform to our notions of how soldiers should conduct themselves in the field. The Salvadoran Army over the years has not been a well-trained, highly disciplined force. There is a strong need for an improved training program, and that is a major part of what we are proposing. A substantial part of the funds that we would hope to have available in this fiscal year would go for the training of the Salvadoran forces.

Senator TSONGAS. The Chair recognizes and nominates as chairman the Senator from Connecticut. Thank you.

Senator DODD [presiding]. Thank you. Maybe it's just a reflection of where we are, and I realize it's the lunch hour, but it is hard for me to believe that an issue of this importance would leave us in the awkward situation here where you are responding to the chairman of the committee, who happens to be the least ranking minority member of this committee. We are dealing with an issue which is certainly as serious as any foreign policy matter before this country.

At any rate, first of all, Mr. Michel, as I gather, you have been on the job here with this thing about a month?

Mr. MICHEL. That is correct.

Senator DODD. And for the most part, you have been dealing with the legal side of the State Department and the legal branch?

Mr. MICHEL. I was in the Office of the Legal Adviser for many years prior to assuming my present position in late February.

Senator DODD. Well, I understand you have an excellent reputation as well. So on some of these questions I maybe getting into stuff where you may want to get back because a lot of it may be a little too detailed.

Mr. MICHEL. Senator, I will do my best to try to answer you; and if I don't know the answer, I will tell you I don't know, and I will try to get an answer for you.

Senator DODD. I appreciate that.

First of all, there has been some $26 million that has been appropriated already. Can you tell us to what extent that $26 million has been exhausted?

Mr. MICHEL. All of the funds have been obligated. All of the pipeline items have been delivered, with the exception of one shipload of ammunition and some ratios that are on order and have not yet been delivered.

So we really are at the end of the line of the $26.3 million that was available under the continuing resolution.

Senator DODD. Let me make sure I understand that correctly. The money that has been spent?

Mr. MICHEL. Yes, sir.

Senator DODD. All that $26 million for 1983?

Mr. MICHEL. That is my understanding.

[Pause.]

Mr. MICHEL. Everything, they say.

Senator DODD. The entire $26 million has been spent?

Mr. MICHEL. Yes.

Senator DODD. In response to Sentaor Tsongas's question with regard to the quantity of arms that the insurgents are receiving, I wasn't quite clear about your answer there. You say that you can't say?

Mr. MICHEL. I don't know.

Senator DODD. We do not know?

Mr. MICHEL. That we do not have an estimate.

Senator DODD. In other words, while everyone seems to agree that there is certainly some, to the extent that the insurgents are receiving the bulk, 50 percent, 25 percent, 75 percent, we really don't know the answer to that question, do we?

Mr. MICHEL. No. Senator Dodd, we sit here in a public room with the media present and we discuss——

Senator DODD. I'm not asking you to give me a number. I'm just saying——

Mr. MICHEL. There is no Soviet or Cuban or Nicaraguan procedure that is comparable, so there is no public disclosure. It is a clandestine supply operation.

Senator DODD. But my point is we don't know the answer to that.

Mr. MICHEL. That's right.

Senator DODD. So when statements are made that in effect the insurgents are receiving substantial quantities of arms from the Cubans, Nicaraguans, and so forth, or that they are entirely dependent upon that, or massive amounts, those statements, while they don't specify a quantity, certainly imply quantity. And in fact, we don't know the quantity, do we?

Mr. MICHEL. We know there are lots of airplanes that fly at night. We know there are small boats that go through the bay. We don't know what boxes they have. We know that the guerrillas are not manufacturing ammunition in their basement, that they are importing it.

Senator DODD. We know that for sure, they are not producing ammunition?

[Pause.]

Senator DODD. We don't know that, do we?

Mr. MICHEL. We know that there are ordinance items that are not homemade. I don't think that it's been suggested—I have not heard the suggestion before that the guerrilla forces are manufacturing the instruments of war that they have.

Senator DODD. You are talking about ammunition?

Mr. MICHEL. I am talking about ammunition. I am talking about rifles. I am talking about high explosives.

Senator DODD. My point is, I am not suggesting I have a number either for you, that I have some secret information that would indicate exactly what it is. It is just that one of the bases for the argument that has become a truism because it has been repeated so often over the past several weeks that there is a massive, substantial quantity of arms coming in to support the insurgents, when in fact we really don't know the answer to that question, and it has become a fact, at least in the minds of——

Mr. MICHEL. We can't quantify it.

Senator DODD. We don't know, do we?

Mr. MICHEL. We can't quantify it.

Senator DODD. Have you read or are you familiar with the Secretary of State's testimony this morning before the Appropriations Committee?

Mr. MICHEL. Yes, sir.

Senator DODD. He talks about negotiations in that testimony. He says:

> The President has emphasized our support for negotiations aimed at expanding participation in democratic institutions at getting all parties to participate in free, non-violent elections. We will not support negotiations that short-circuit the democratic process and carve up power behind the people's back. We will support negotiations to help provide guarantees of electoral fairness and protection for voters and candidates of all persuasions.

That may be the effort to find the silver lining in the clouds.

Can I interpret the Secretary of State's—and I regret that I can't ask him this directly, but I will ask you this—can I interpret that quote from the Secretary's testimony to imply that the administration has moved away, if not totally, obviously, having just read it, but moved away from the notion that a political solution translates into an electoral process explicitly?

Mr. MICHEL. No, sir. "To provide guarantees of electoral fairness and protection for voters and candidates" is not moving away from an electoral process.

Senator DODD. So in fact, we are where we were before, that in terms of negotiations, dialog, discussions, the administration is still opposed to any form of discussions or dialog that do not have as their primary purpose an electoral process? That is still the administration's position?

Mr. MICHEL. We believe, as the Secretary said, that negotiations should be about how participation will occur in an electoral, democratic process. To talk about unconditional negotiation suggests that we have a difference here. The Government of El Salvador believes in democracy and the guerrillas believe in Marxism, and they should sit down and put those two propositions on the table and decide how much one side will get and how much the other side will get.

Senator DODD. Who has made that suggestion?

Mr. MICHEL. Well, by its very nature, they are not going to sit down and talk about nothing. The guerrillas have said they don't want to participate in an election, so what are they going to talk about? They only want to come and talk about what they want to achieve.

Senator DODD. And the government only wants to talk about what they want to achieve.

Mr. MICHEL. The government wants to talk about bringing all of the people into a democratic process.

Senator DODD. If in fact we are confronted with a military stalemate, I will agree with you the guerrillas don't want to talk about a political process, at least in terms of an immediate start of an electoral process and the government doesn't want to talk about negotiations that imply any kind of power sharing. I am asking what harm is there, in effect, in trying to get both these sides to sit down without either of those two preconditions and to at least find out where they are, what are the two positions?

Why are we opposed to that notion?

Mr. MICHEL. Let me go back first of all and talk about the stalemate for a moment. I did not mean to suggest that there was a stalemate in the sense of equality of forces and equality of position. What I meant to suggest was, and I was given two choices by Senator Tsongas——

Senator DODD. He offered you a third. He said "improving," as well.

Mr. MICHEL. Yes; and I said stalemate was the closest to the situation. By that what I mean is that the government forces do not have the initiative. I do not mean that the guerrillas control half the country. They control very little territory. They have, however, the capacity to do these sabotage attacks on the economy. They have shown that they can move into a town—they can't stay there, but they can move in and make their strike and then disappear.

And there is the stalemate in the sense that the government forces have not in recent months taken the initiative to prevent them from doing that, from securing territory behind which, as I say, they can proceed with rebuilding the economy and with installing the institutions of democracy that they have said they are committed to achieve.

The guerrillas are a small force in numbers. They do not have the popular support that the government has.

Senator DODD. Why haven't they turned them in, then? I am sort of intrigued by that. It has gone on for 3 years. Here is a country that is surrounded by nations that are hostile to the guerrillas in terms of common borders, and we have a nation of 5 million people, allegedly 4,000 to 6,000 guerrillas.

If they are such a small force, if they are surrounded by countries at least on the immediate frontier that are hostile to them, why is it that people haven't turned them in if they don't enjoy some popular support out there? How do we explain that?

Mr. MICHEL. They are an armed force, and they are a force that is capable of brutal acts against the civilian population. Clearly that is an element. There are elements in El Salvador where there is guerrilla strength and where the civilian population has departed to get away from them. Some of them, it was mentioned by an earlier witness, have come here. Others have gone to refugee camps elsewhere in El Salvador.

Senator DODD. But it is the administration's viewpoint that this is basically a small terrorist group and it doesn't really qualify then as a group, albeit with minority support but still of substantial support that would qualify it as a bona fide insurgency effort?

Mr. MICHEL. I don't think that the guerrilla forces, numbering 6,000 or so, are qualified to claim a legitimacy to sit down as equals with the government that controls most of the territory and that has the support of the people, a government for which 80 percent of the population of El Salvador turned out to vote last year.

Senator DODD. Now wait. Let's not overread the elections. People have done that. I think we all know they wanted peace in their country, and to suggest somehow that they were endorsing or supporting one side or another is a typical overreading of mandates on these things.

But I am curious as to whether or not that is the view of the administration, and apparently it is, that this is a relatively small group, which may in fact bespeak of some of the difficulties we have in trying to get at different conclusions.

I am still perplexed at the policy of the administration as to how you get out of this situation. You proposed an electoral process, which is at least in the short run being rejected. We see no outcome of the war. We don't know how many arms they are getting from outside forces at

all, and yet it goes on. And in fact, everyone would admit that the guerrillas are getting better militarily.

Mr. MICHEL. They are better coordinated. They are highly mobile. They are better trained.

Senator DODD. Well, how do we get out of this? How does this resolve itself? Where does it end?

Mr. MICHEL. It is resolved by a very tough process. Our policy, I have said several times in the course of this testimony, is to nurture and support the efforts to institute a democratic system within El Salvador.

The guerrilla leaders have said that they will not participate in an election.

Senator DODD. They have said, however, they will participate in discussions or dialog without any preconditions.

Mr. MICHEL. Without any preconditions, meaning that their agenda can come on as well as the other side's, or else they have nothing to talk about.

Senator DODD. Well all right, they both have wish lists, I am sure, but no preconditions.

Mr. MICHEL. If you want to take the agenda beyond the democratic electoral process, what is there? What else is there besides the democratic solution? There is the solution of dividing up power on the basis of the force of arms.

Senator DODD. How do you know that unless you get to a negotiating table?

Mr. MICHEL. What else is there? It's either democracy or it is something else.

Senator DODD. Why don't we find out?

Mr. MICHEL. They have rejected the democratic——

Senator DODD. What is the objection to trying to find out?

Mr. MICHEL. There is either a democratic solution or there is not. We have supported a democratic solution to the conflict. Now the fact that the guerrilla leaders have said that they will not participate does not mean that there cannot be a working amnesty law, a system of protection for candidates, for voters, guaranteed access to media developed over the months ahead that will allow this effort to achieve democracy to work.

It is going to be very difficult. I think that the signs we have seen, the fact that the constituent assembly was able to get together and function as a political body and vote and decide to extend the land reform, to resolve it in that democratic way; the fact that the President was able to have the political support within his government to announce the date for election in December; the formation of a peace commission with a charter to seek ways to achieve reconciliation and to draft an amnesty law, which has now been drafted and presented to President Magaña—are all signs that they are trying, that they want to have a democratic system that will work.

If that process continues, let me turn the question around, if I may, and say, isn't that something that deserves our support, and isn't it something that should be given a chance to work, rather than press our Government to support a solution through a negotiation with antidemocratic forces that we know—we can talk about numbers and

how many bullets do they get from outside and quantities, but we know this is an externally supported guerrilla force. This is not an indigenous force. We know that——

Senator DODD. What do you mean it is not an indigenous force?

Mr. MICHEL. Excuse me. It is not entirely——

Senator DODD. Is the Government of El Salvador an indigenous force by that definition? Where are they getting their support?

Mr. MICHEL. The Government of El Salvador is getting support from us.

Senator DODD. All right. Let's try to look at this thing objectively. We are talking about an indigenous guerrilla force.

Mr. MICHEL. We are talking about an indigenous guerrilla force that has been able to survive and to pose a threat to the government there because of outside training, because of outside——

Senator DODD. Mr. Secretary, you just finished telling me a couple of minutes ago that you can't tell me, nor can anyone in this administration——

Mr. MICHEL. I can't quantify it for you.

Senator DODD. Well then, how can you say that? I am only asking you questions that any commonsense person would. If you can't tell me how much support they're getting, how can you make that statement?

Mr. MICHEL. We know from what they say publicly on their own radio that they receive external support. We have other indications that I can't get into here.

Senator DODD. I'm not arguing that they get some external support.

Mr. MICHEL. There is substantial evidence of the Cuban direction of this guerrilla force. Now——

Senator DODD. Is it the administration's point of view that without that support they would fold, the war would be over?

Mr. MICHEL. It is our position that without that support, the guerrilla force would become less and less of a threat as something else happened, the something else being the development of the economy and the institution of political reform.

Senator DODD. But that in fact if we could cut out the outside support from a military standpoint, the guerrilla force would evaporate?

Mr. MICHEL. It would diminish, smaller and smaller and smaller.

Senator DODD. How do you know that if you don't know how many arms they are getting?

Mr. MICHEL. We know that it is substantial.

Senator DODD. How do you know it is substantial?

Mr. MICHEL. I do not believe that they manufacture rifles in El Salvador.

Senator DODD. Is it possible they are capturing some from the government?

Mr. MICHEL. Some, yes.

Senator DODD. How much?

Mr. MICHEL. I don't think I have any public figures on that, but I don't think it is enough to equip the forces that they have, by any stretch of the imagination.

Senator DODD. I don't think we know a lot at all, if this is the response to questions. I say that in all candor to you. If we don't know how much is coming from the outside, we don't know how much is

being produced or how much is coming from the black market, and yet we draw the conclusions that if somehow that amount that we can't quantify were not there, then the guerrilla forces would slowly diminish.

And that is the basis upon which we come in and ask for $60 million in reprograming and $50 million in reallocation, bringing the number well over $1 billion since 1980 in total economic and military support.

Mr. MICHEL. Senator, I think there are two different quantities here that we have talked about that have gotten confused. One is what is the absolute number of external support for the guerrillas? We don't have a number for that. The other is what portion of their support is external? How much of their training comes from Cuba and Nicaragua? What kind of command direction do they get from Nicaragua? What is the percentage of the arms that we know they don't make in El Salvador that comes from captured stock, and what percentage comes from outside? Simply by subtraction, when you take the captured weapons away and see what is left, if they didn't make it at home they must have imported it.

And the answer to that, and I don't have specific numbers here, but the guerrilla forces are substantially equipped and trained from outside.

Senator DODD. Let me just point out to you, and I will submit this for the record, but beginning in 1948 in El Salvador, when we first became involved in a military mission—in fact, the head of the Salvadoran military academy was a United States military officer. In 1963, we had more air force advisers and trainers in El Salvador than the total number of pilots and airplanes they had in that country. We sent down a unit of Green Berets in the 1960's to help train them, which is maybe one of the reasons why they were successful in the Soccer War.

We have had, over the past four decades, an ongoing, continuing military training program in that country, since the 1940's in effect. Now small dollars by comparison today, but still an ongoing training at various high periods in the early 1960's and beyond.

And yet we are looking at a 20,000-man army, many of its officers trained in this country, a longstanding training program by this country of its military academy, facing as much as 6,000 insurgents, of kids, in effect. And we are going to argue that somehow with another few advisers, another few million more in dollars that we are going to be able to overcome that situation. I think that is just totally fallacious.

Mr. MICHEL. No; that is not the proposition, Senator. Since 1948 we have not been trying to bring about the political and economic reforms that the Government of El Salvador has embarked upon in——

Senator DODD. No; but from a military standpoint.

Mr. MICHEL. And that is unfortunate because the economic and political situation that existed in El Salvador certainly provided the conditions that made it possible for the antidemocratic Marxist influence to find adherents, which are certainly indigenous elements of the population, who would form themselves into these guerrilla forces and accept that outside assistance and wage this campaign against the government.

What we are proposing now is to help the Government of El Salvador achieve economic equities. This land reform program, when we talk about underestimating things, this is one that, from my brief experience, is one that has substantially promise.

Senator DODD. Have you talked to any of the campesino leaders or the people who are the direct beneficiaries of this program?

Mr. MICHEL. I have not had that opportunity yet. I hope to have that——

Senator DODD. Well I hope you do because then you're apt to get a different perspective on all of that.

Mr. MICHEL. But we do know that substantial amounts of farm lands that were once the province of a few families have been distributed. We know that something like 20 percent of the arable land in El Salvador has been redistributed under the land reform program. Estimates are that hundreds of thousands have benefited from this program that allows the people for the first time in many cases to own the land on which they work, and to reap the benefits of their labor.

Senator DODD. Well, I am very familiar with the land reform program. I have seen a lot of it.

Mr. MICHEL. The difference that that can make in the attitude of the people, it seems to me that is a very different situation than when you are talking about 1948 or 1960, when you did not have those——

Senator DODD. I strongly encourage you to go down and also spend some time talking to the landowners in that country. I have spent numerous hours with them asking their feelings about the land reform program and their willingness to support it. The support and progress of these programs is not overwhelmingly positive, despite what the United States may think it is accomplishing in that given area. I would invite you to seriously examine the situation with a totally objective eye as to whether or not that kind of progress that is being claimed is in fact being made.

I agree with you, and I think it is essential that it go forward, but I will just tell you flat out it just is not moving as well as it should. The basic opposition to it is coming from people who should understand that the alternative to land reform is buying a building lot in Florida.

Mr. MICHEL. Well, alternatives are really what this is about, Senator. We have to look at one of three outcomes here. We can support the effort to achieve democracy and to help bring about reforms that will attract some of the people who are now opposing the government through measures like the Peace Commission, the amnesty law, electoral safeguards, judicial reform, through a fairer distribution of the wealth in El Salvador through programs like land reform, through efforts to build basic public services, to provide medical care, education, which——

Senator DODD. I am not going to argue with you. I think that all of these are fine.

Mr. MICHEL. And the guerrillas are attacking that effort.

Senator DODD. I am not here to support the guerrillas either. I would like to see an end to the violence in the country, and I find it somewhat ironic that from the church and every one of our allies in the region, all of our friends suggest a different course of action. And yet we seem to be operating in a dream world that because there is a peace

commission and because we fiddle around with land reform and because we fiddle around with economic reforms, and because we continually support a Salvadoran Government that refuses to even indict or prosecute people who commit murder, that somehow we are going to solve this problem.

Yet we come back up here, 5 years, almost $1 billion later, and we are asking for $60 million more in reprograming and $50 million more in a supplemental. As I sit here, I promise you that if your policies continue, you will be up here every year as long as there is a degree of patience on this committee to support the spending of millions of dollars to shore up a government down there when we refuse to see the reality of the situation.

What scares me to death is that if we pursue in these policies, we are going to end up with just what the President fears most. We are going to end up with a Marxist government in El Salvador and you guys will be up here pointing the finger at those of us who are suggesting there was a different way out.

And that is what is going to happen down there because we refuse to understand what all of our friends are telling us, people who have a far greater risk, a far greater amount to lose in the short run than we do if in fact they find a doctrinaire Marxist state in their background. We are allowing the guys with the guns to dominate the situation, instead of moving that thing off the battlefield to a negotiating table and at least trying an alternative.

We are refusing, blindly refusing in the face of every bit of advice we get from friends and allies around the globe on this issue. We are acting all alone on this, and we are going to come back and blame the progressives in Congress and the do-gooders because they were suggesting a different course of action.

Mr. MICHEL. Well Senator, I am looking for some agreement here. I think the one element that we agree on is that we do not want a Marxist government.

Senator DODD. Of course not. No one is suggesting that.

Mr. MICHEL. And the question is how do we avoid that? What the administration is proposing is to support directly an effort to achieve democracy and to support the effort to induce broader participation in that democracy by the people in El Salvador who are now opposing that effort.

We have, and I am very nervous about analogies because I know that you heard in law school what I heard in law school, that you cannot prove anything by analogy, but we have seen efforts at coalition—we have seen them in Eastern Europe, we have seen them in Southeast Asia, we have seen them in other parts of the world—in which the Marxist elements achieve power by means outside the democratic process, and it is only one step in the struggle.

Our view is that you do not get democracy and peace and avoid Marxist rule in El Salvador by inviting the Marxists to take a share in the government outside the democratic process.

Senator DODD. You see, you are jumping to a conclusion. You have already decided that the outcome of negotiations would be a loss of democracy even before an effort has been made at it. Why are we refusing that? I don't disagree that that is a threat which must be guarded against.

If any government in El Salvador agrees to turn over the Ministry of Defense and the Ministry of the Interior to the Marxists, then they ought to have their heads examined. No one is suggesting that will happen at all, and yet every time the issue of negotiations or discussions or dialog without any preconditions is raised, immediately the administration concludes that a Marxist takeover is the inevitable outcome.

And you are correct—the analogies are bad. Southeast Asia and Nicaragua, we had offered to negotiate when the guys with the guns once they had already won. That is what we will probably do in El Salvador. If the Marxists in fact win militarily, then we will want to sit down and talk with them, and then we will wonder why they are insisting upon a greater—and in fact, probably all of the power in that country, in effect.

That has been the example, and historically they are accurate. In Nicaragua, we waited until the very end, as you well know. We didn't make any effort to try to deal with the more moderate elements of the anti-Somoza forces. We saw them all as Marxists, just as we do in El Salvador. We see everybody who is not on the side of the government as a Marxist, when in fact you and I both know that is not correct.

Mr. MICHEL. Well, there are democratic ways to deal with the situation, and there are antidemocratic ways to deal with the situation. If the opposing forces will engage in a dialog, in a negotiation on the democratic ways, that is what the Secretary said this morning we could support. But to talk about the negotiation without preconditions means, to me, that the negotiation is not limited by democratic solutions, and that, we do not support.

If I could ask the opposite question, you say why not sit down and talk without preconditions, which I interpret as meaning talk about democratic and nondemocratic results; why not sit down and talk about democratic results? Why not talk about how to make the electoral process work? Why not talk about the terms for amnesty? Why not participate directly in a democratic process?

I guess the answer is that those who are refusing to do that and who insist on the catchword of negotiations without conditions, which means negotiations about nondemocratic solutions as well as democratic ones, don't have much hope for prevailing in the democratic process, no matter what result comes from those negotiations for safeguard and for amnesty and for access to the media and for participation in the democratic structure.

If they thought they could win the election, I suppose they would sit down and talk about the election.

Senator DODD. Well, we go around and around and around. I won't tie you up any longer because it gets a little circuitous. I think you know the answer to that as well about an electoral process. No one is rejecting that. I haven't heard the insurgents reject that.

We are in the awkward position of appearing to the rest of the world that we are determined to achieve a military victory, and bring the insurgents to their knees, but being unable to do so. While you and I might wish with all of our might that that would occur, the political and military reality in El Salvador is not going to prevent it from happening in the short run. Even in the long run, it doesn't seem very likely, given the recent military and political events in that country.

Now I would like to think that a victory might be achieved tomorrow or the next day or the next year after that, but I don't think it will. So no matter how much you and I may wish that that would occur, I don't think that is going to be the result.

All we are suggesting on the other side is to minimize the possibility of a military victory by the insurgents, and seek to take advantage of a moment when neither side perceives itself as winning militarily, with the initiation of negotiations.

The moment that the Left or the insurgents think that they can win militarily, I will guarantee you there will be no agreement to sit down without any preconditions at a negotiating table. They are going to have a lot of conditions. If they perceive themselves in a winning position militarily, their position on negotiations, discussions, and dialog will change dramatically.

And I will further promise you that if that occurs, that we will be sitting down and talking about some sort of a negotiating process without preconditions. It is as predictable to me as the rising sun.

All we are saying is why not at this particular moment, using the window of opportunity, if you will, when neither side can see itself as prevailing militarily, why not take advantage of that moment and see if we can't decide exactly where everyone else is. We are guessing where everybody is. We are guessing at what they want to come out of this.

Those insurgents include devout, long-term, historic committed Marxists. I question whether they will ever come in. And there are others, who run the entire opposite end within that spectrum who have a history of participation in the democratic process.

We are not going to bring any of them in if we follow the present policy. If we at least offer to sit down at that table, urge the Salvadoran Government to do so, we may have some success in bringing in some of those elements who would like to engage in a democratic process, including an electoral process, to resolve the problems of that nation.

Failure to do that I think brings us to the conclusion I described a moment ago, where the insurgents may very well see itself as winning militarily and they will drop their offer for negotiations without preconditions.

Mr. MICHEL. The difference there I think, Senator, is whether you see that policy that I have described and the Secretary of State and the President have described, as one that leads to a strengthening of the guerrillas or a weakening of the guerrillas. We see the policy as a weakening of the guerrillas. You said that the guerrillas might one day think that they have a chance for military victory and then they will be very difficult to deal with indeed.

Sure they would. But if these reforms are successful, if the economy is protected and developed, if the people have a bigger stake, if the amnesty can work, if the election procedures can be devised that will attract broad participation, if the Peace Commission can develop a dialog on how to make that process work, we think the guerrillas get weaker.

Senator DODD. You had an awful lot of "ifs" built in there.

Mr. MICHEL. I know. I won't sit here and say that it is easy or that our solution is a guaranteed winning result, but I suggest that there are grave dangers with your solution because——

Senator DODD. It is not a solution I am talking about. I am talking about a process and a policy. I don't know what the solution is. That is something the people of El Salvador have to figure out. I am just describing a process that might help them get there.

Mr. MICHEL. We are talking about what we can support as a matter of national policy. We are talking about action taken by the people in El Salvador, in the government and out of the government, and what we support.

I am saying only that the negotiation without preconditions necessarily means negotiations about nondemocratic as well as democratic solutions. And that can be a stepping stone more directly to the Marxist domination we are all seeking to avoid, so our policy is trying to encourage and support the efforts at reform and economic development under the protection of a military shield.

Senator DODD. I know. It is basically the same policy we have had since 1981. I don't need to tell you where it has gotten us. I hear it. I have heard it. I am sure I will hear it again and again and again, and it is not working. That is the sad part. No matter how wonderful it looks on paper, how well it appears on a chart, it is just not working.

Mr. MICHEL. Some of it works better than other parts of it.

Senator DODD. Overall, it is not working and we still have serious trouble.

Look at this situation with the nuns. You know, we talk about the nuns, and I am very sympathetic. In fact, one of the families is constituents of mine from Connecticut. We get very excited about it because they are Americans and churchwomen, and we are worried about them, and we should be.

They are an infinitesimal fraction, less than a fraction, of the thousands of people—Salvadorans, noncombatants—who have been executed in that country. Look at the attention the churchwomen are getting and the results. With all of the pressure from the United States, including the Secretary of State and the President of the United States. They are no more and no less human than some long-forgotten Salvadoran peasant who suffered the same fate or worse. And yet they are not getting anywhere near the consideration. The only reason these women are is because of the pressure from the United States.

Doesn't that tell us something about the kind of people we may be unfortunately dealing with here? Doesn't that say something?

Mr. MICHEL. It tells us something about a history in that country.

Senator DODD. Let's forget the history. Doesn't it tell us something about this government at this hour and this time?

Mr. MICHEL. And it tells us something about the difficulties faced by a weak judicial system in——

Senator DODD. A weak judicial system? It isn't a judicial system at all.

Mr. MICHEL. Well, it isn't working well. The criminal justice side is a very serious thing. And if there is to be success at encouraging and attracting people to participate in the democratic process, one of the key things that has to be done is to let them know that they are not fair game, that political violence will be punished, that there will be a rule of law, because without that all of the plans and promises about safeguards and participation in elections won't mean much.

And that is an item that we have to give obviously higher priority to and greater attention to, and we are trying to do that as a part of the program of helping to institute the requirements. The Government of El Salvador has asked for our assistance. It has charged the Peace Commission with the responsibility of working with the Human Rights Commission in trying to improve the judicial process.

It is not a problem that is being ignored, but it is not a problem that will be solved overnight.

Senator DODD. Again, I thank you for coming. Let me make one additional request of you.

Since there was some question or doubt as to the role of this committee on reprograming, and on the consideration of both foreign assistance and security assistance. I would like to make a request of the administration, since it was clear to everyone on the committee in 1981 what our intent was on reprograming, that we may need an additional piece of correspondence which would I think save us going through the legislatively process of guaranteeing that our committee has powers "parallel to the Appropriations Committee on reprograming requests," that in fact that is exactly what we mean.

Mr. MICHEL. The only confusion in my mind, Senator, is whether you were saying that there were requirements in the law or whether you were saying that there was an undertaking in the letter——

Senator DODD. No; there is no law. The 15 days is law.

Mr. MICHEL. That is the law that to some extent doesn't apply. That was my point. And you are saying well, you have a letter that says in effect we will act as if the law applied and give consideration to the views of the Foreign Relations Committee.

Senator DODD. The 15 days applies just to the Appropriations Committee? It doesn't even apply to the Appropriations Committee, does it? It just talks about the Congress?

Mr. MICHEL. I think that the statutes—there are two statutes: the Foreign Assistance Act and the Foreign Assistance Appropriations Act and they do refer to committees. My point was simply that the committees referred to in the Foreign Assistance Act include the Foreign Relations Committee, and the Appropriations Act does not. I didn't mean to reopen or to call into question the letter that was sent to you by——

Senator DODD. Well, I would, for purposes of clarity, and because I can see years down the road, another administration looking back and saying what are you talking about here; I want to know what you mean. And I think it was rather clear what we intended, and I think you are probably correct. I think from a legal standpoint you could certainly make the argument that we were only talking about the Foreign Assistance Act no matter what the colloquy was at the time in the committee hearing. The fact is we were talking about one thing and in fact dealing with another; from a legal standpoint this creates some future problems.

I would like to try to close that gap so there is no misunderstanding as to what the intent of the committee was in 1981, so for all future requests, whether it be this administration or any other, that we would in effect eliminate that question.

Could I ask that in fact something be prepared and submitted to this committee which would eliminate that vagueness that may now presently exist in the minds of some?

Mr. MICHEL. Yes.

Senator DODD. I thank you for that.

This has been unique. We are usually under the 5-minute rule here, and we have gone on a little longer. I appreciate your candor, and appreciate your willingness to come up. I presume that if other members have questions, they will probably call you.

I presume some people will be available tomorrow if we begin at 10 for some comments or questions. Whether you can be here or not, I don't know, but I would gather from the comments of the chairman that he may have some amendments to a proposal that Senator Kassebaum and I will be offering this committee at that time, and it might be helpful to have you here to respond to questions or concerns.

Mr. MICHEL. I am sure we will have someone here.

Senator DODD. I thank you for appearing here this morning.

This committee stands adjourned.

[Whereupon, at 2:05 p.m., the committee adjourned, to reconvene at 11:15 a.m., Wednesday, Mar. 23, 1983.]

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EL SALVADOR: REPROGRAMING

WEDNESDAY, MARCH 23, 1983

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 11:15 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Charles H. Percy (chairman of the committee) presiding.

Present: Senators Percy, Kassebaum, Pell, Biden, Sarbanes, Tsongas, Cranston, and Dodd.

The CHAIRMAN. I had originally hoped that the committee would be able to consider the broad range of political, diplomatic and military issues facing United States policy in El Salvador prior to a vote on the reprograming of funds for El Salvador. In this context, I had hoped to consider the details of the amendment to be offered by Senators Kassebaum and Dodd.

As I announced yesterday, I have a number of amendments to their proposal, which I had hoped that the committee could consider in detail today. We have shared these amendments with the staffs of Senators Dodd and Kassebaum, but it is clear that no agreement can be reached in the short period of time allotted. Unfortunately, as you know, there is an objection to the unanimous consent request for the committee to meet after noon today. In addition, our meeting with Secretary Shultz has cut into the available time that we had.

I also stated that I believe the committee should exercise its jurisdiction on reprograming in the case of El Salvador, but I think it extremely important that we understand the context in which reprograming and the jurisdiction of this committee should be taken into account.

The committee must take action by March 25 to meet its deadline. As a result, I am prepared to consider the reprograming at this time without first considering the terms and conditions of the assistance. I do this, however, only because of the press of time.

First let me say a word about the reprograming review procedure. This is, and I particularly want Senator Dodd's attention, the reprograming review procedure in a fragile procedure based on informal understandings. It is not based on the law. I think most of us would agree that a one committee vote is unconstitutional.

This procedure has worked in the past only because the Appropriations Committees have not abused it. This committee is new to this procedure. We have sought to get this committee considered on a parity with the Appropriations Committee and we have been successful in that, but I hope we will not abuse the privilege that has been given to

this committee. If we do, it is my judgment that our views are not likely to be seriously regarded then.

It may also be instructive to look at the way the Appropriations Committee proceed on these reprograming issues. Generally they do not vote on them. They proceed with a consensus letter negotiated in a bipartisan spirit. They generally do not override a reprograming request by a small majority of the committee. I hope that we can proceed in this same spirit.

I have just had a lengthy conversation with Senator Kasten about the procedures yesterday that were followed in his subcommittee. In yesterday's meeting between the Foreign Operations Subcommittee and Secretary Shultz it appeared as if the votes were there to support the full reprograming.

I talked to Senator Kasten this morning, as I have indicated, and he confirmed this impression. He is currently now negotiating with the members of his subcommittee concerning any conditions on the assistance.

I have developed an approach which I hope can receive the support of a significant majority of this committee. Before I offer this proposal, I would like to record my personal support for the entire reprograming request. I realize, however, that perhaps there are not the votes in the committee to support that position.

The position that I now place before the committee would limit the FMS loan reprograming to $35 million. The $35 million is adequate, according to the administration, to meet El Salvador's immediate needs for defense consumable goods. I offer this proposal as an interim step because the committee is unable to complete its consideration of the overall El Salvador issues at this time.

If this proposal fails, I will vote against any further efforts to cut aid to El Salvador in this reprograming. Given the actions of the Senate Appropriations Subcommittee, I do not believe the administration is likely to honor the views of this committee unless those views constitute a very solid majority of the committee. And I would hope that we could really reach a majority in the proposal that I have offered.

I have offered it to the committee in the form of a letter to Secretary Shultz. A copy of the letter is before you. This is a draft letter that would be proposed if this proposal is approved by the committee.

Dear Mr. Secretary: The Senate Foreign Relations Committee is currently undertaking a review of United States policy in El Salvador in the context of the consideration of the annual foreign assistance authorization legislation. The committee will have under consideration several critical issues, including a proposal that the United States use its good offices to begin negotiations without precondition to seek a political solution to the conflict in El Salvador.

Another proposal that has received strong support would limit to 55 the number of United States military advisers in El Salvador. The third proposal seeks to strengthen El Salvador's judicial system.

In light of the fact that the committee has been unable to complete its consideration of these important proposals, the committee objects to reprograming the full amount of assistance proposed by the administration for El Salvador in fiscal year 1983. As an interim measure, the committee does not object to reprograming $35 million in FMS funds, the amount needed to meet the immediate needs of the Salvadoran armed forces.

The committee will transmit its final views on the appropriate levels of reprograming as soon as it has completed its review of all aspects of the El Salvador program, including our review of the various proposals mentioned above. We anticipate our review will be completed shortly after the recess.

Senator Pell.

Senator PELL. Mr. Chairman, I was very concerned when the President first announced the increased military assistance of $110 million because to me, this meant that the administration was now out to achieve a military solution.

Many of my constituents in Rhode Island, and I get picketed every Friday for a couple of hours, I might add, in this regard, believe that there shouldn't be any military assistance for El Salvador, no assistance at all of a military nature and that, as I have said many times before, American policy should be one of trying to achieve a political solution through a dialog or negotiation by all parties to the conflict.

My own view is that the Kassebaum-Dodd-Inouye proposal that we have before us could be the breakthrough for which we are looking because it emphasizes a political solution to a dialog without preconditions. It also calls for the initiation of regional efforts to facilitate that dialog.

My only disappointment, and the question I would ask to the framers of that resolution, is whether thought has been given to prohibiting any increase in the amount of military assistance for El Salvador for this fiscal year and for next. Also, was any thought given to freezing the military assistance figure at the present level until the Salvadoran Government agreed to the proposition that there be negotiations toward a political solution.

In other words, I would be inclined to less than you would and the chairman would be inclined to more, and maybe yours will end up as the compromise.

Senator KASSEBAUM. I am sure, Senator Pell, that there are many who share the same view that you do, and I think Senator Dodd would have to speak for himself. I think both of us felt it was important to assure some additional money that would be needed to continue the level of support that the military must have to have an effective operation. It has not been particularly effective and I don't know what level of money will make it so, but it seemed important to me, anyway, to assure a certain increase that was not conditioned on anything.

That is why we arrived at that particular amount and capped it, as a matter of fact. The $23.7 suggested in the Dodd-Inouye-Kassebaum amendment would be FMS, IMET, and MAP combined, and the full amount of $23.7. That can be reprogramed and all of it go to FMS, but there could be no additional money spent, which takes a total cap, of course, then of $50 million because there is already the $26.7 million in the continuing resolution.

I certainly am appreciative of the chairman's efforts and I would agree with him as far as appropriations, that they have always worked toward a consensus spirit. We have had a very hard time here in this committee being able to really have the time to discuss and debate the various views on the El Salvador proposal. It is distressing to those of us who are really deeply concerned about the issue, who want to try to resolve it to a satisfactory conclusion if that is possible.

Senator PELL. Well, as I understand it, just to keep it simple, your proposal would be $50 million in toto, the Percy proposal would be $61.3 million, and the administration proposal would be $136 million. My own preference would be even less than yours. So it would seem to

me that somewhere in the range between you and Senator Percy would be the final compromise, although I believe that all of those levels are too high.

Senator SARBANES. Could I ask the Senator from Kansas a question? I understood in your proposal with the cap on the total amount that it also involved an effort to put the aid in a context of what would be undertaken in El Salvador to point us down a path toward a peaceful resolution rather than a greater involvement in potential military conflict. The items which, as I understand it now, the Percy proposal simply mentions in passing do not constitute a condition of the aid or help to create that context.

Am I correct in that, with respect to the number of advisers and the requirement for negotiations without precondition? That was part and parcel of the aid you were going to make available? Is that correct?

Senator KASSEBAUM. Yes. It was our concern that just the money alone was really not moving the debate in a larger framework that was necessary and helping to address the problems that were there. And if we could expand that framework and say that further aid above the cap of $50 would hinge on these additional things, a good faith effort on both sides.

This isn't just the government saying let's sit down and see if there is some possible room for negotiations, or the guerrillas. This is incumbent upon a good faith effort on both sides; there is also an emphasis on the regional aspect which is already moving forward.

These were things that we talked about. That isn't necessarily, of course, involved in the dollar figure, and that is what is before us, but it is a very important part, I think, of the whole issue.

Senator DODD. Mr. Chairman?

The CHAIRMAN. Yes, Senator Dodd.

Senator DODD. Just very briefly with regard to this proposal, as the Senator from Kansas has outlined it, this is a very modest proposal we have made. A lot of work, a lot of time has gone into it and I would like to echo Senator Kassebaum's remarks.

It hasn't been the lack or the unwillingness on the part of a number of us on this committee to try to reach a consensus on this issue. The difficulty has been trying to get people together on it. We are down to a very few minutes left today. In fact, the only committee in the U.S. Senate today which cannot meet past 12 is this committee. It is certainly no secret why: because there are people who don't want us to develop a consensus on this issue, who only want the administration to get exactly what it has asked for, without this committee speaking out on it.

I am more concerned in some ways about that fact than I am with exactly what we do here. This is our first opportunity since 1981 to express our views on reprograming, and there are those who are trying to deny us that opportunity, an opportunity that we fought hard for and this administration gave us the assurance that we would have that participation. And there is now an effort to stop us from participating. So I say that first of all.

What we have tried to do here is develop a consensus. The Senator from Kansas is exactly correct. I would do less than $23.7. I think you can get away with emergency funds for a short period of time and provide something, but not that high, and let the administration do

what anyone else would have to do, and that is come through the normal procedures. That would be my own personal viewpoint.

But we have tried to work out and develop what we thought was a level that would bring on more people, that we could all support, even though it was higher than some wanted on some points, and develop some consensus on this.

And it involved not just the Senator from Kansas and myself, but the Senator from Hawaii as well as in the Appropriations Committee, and we talked to a number of other Members in the Senate about this proposal and what they thought about it. And no one is absolutely happy with every single provision here, but a real effort has been made to develop a consensus on it.

And I would suggest, and our intent I think would be to not have—because this is not an amendment to anything, but to propose this in a letter form, a letter of transmittal, in effect, where we set $23.7 million as the part of the reprograming which we would agree to. That would, with the $26.3, give the administration a $50 million appropriation in 1983 for military assistance to El Salvador. We suggest further that that level be the level for 1984 as well.

Now if the administration wants to come back up here and say we need $200, $500, $1 billion more, we are not telling them they can't do that. They are just going to have to do that through the normal operations and procedures of the legislative process, in effect. They are just not going to be able to get more than that through this technique, in effect, because it virtually eliminates the legislative role in issues of this importance.

So that is the major thrust of it. We also, as Senator Sarbanes has just described, talk about the context of where we think the policy issues ought to be going. We think there ought to be a political solution that involves negotiations without any preconditions, no precondition on power-sharing. And we explicitly mention in our language that power-sharing is not something we are endorsing in this proposition. Nor do we limit a dialog specifically to the electoral process, although that is something all of us would hope would be included in an ultimate political solution.

But to avoid the proposition of having any preconditions, we just talk about negotiations, discussions, dialog, without any preconditions. And that is where we think this committee ought to come out in terms of this particular request by the administration.

How we frame this, the actual language of a letter, is certainly a minor problem in terms of drafting, but my hope would be that we would vote in effect, if that is what we have to do, to adopt Senator Kassebaum's proposal here and then instruct staff to write a letter which would incorporate the propositions which we have included in here through long hours of work. This was not something that just came overnight. We have talked to a lot of Members of the Senate. We have talked to a lot of our colleagues here to arrive at this document.

My hope would be that we could adopt this, write it in letter form, transmit it to the Secretary of State or the appropriate authority in the administration as an expression of this committee's views on their reprograming request.

The CHAIRMAN. Well, what I have tried to do in the letter that I put before you, and that is exactly why I did table this interim proposal, is

so that the committee can exercise its jurisdiction, can give a clear indication to the President of how we feel and the consensus that we are trying to arrive at, and taking into account the timeframe that we are in. We have the time to do this.

What we are simply saying, first, is that we are considering a proposal that the United States use its good offices to begin negotiations without preconditions to seek a political solution to the conflict in El Salvador. We are putting ourselves on record to the Secretary in that regard.

Another proposal that has received strong support, and I think we could even strengthen that, we can quickly reach consensus I believe on that that we would limit to 55 the number of United States military advisers in El Salvador. That puts them clearly on notice there. And I think that the understanding that we have with the administration is that they would not exceed that number if we put it in this way to them, or we can even strengthen those words.

Third, we are working on—we don't have time to develop clearly a consensus on exactly how we would do it, but certainly we want to be on record as having reached a consensus that the El Salvador Government needs to strengthen its judicial system. That is absolutely essential.

And finally, that we would object to reprograming the full amount of assistance proposed by the administration for El Salvador and simply propose, as an interim measure, reprograming $35 million, which is the demonstrated need certified by the administration as needed for the defense of El Salvador. Without that, we are just simply walking away from them and giving up.

And I think that is the bottom line. We don't have to have the full amount the administration has asked for, in my judgment, but I think the $35 million is a bottom line. Less than that, I think we are just throwing in the towel, and I think that would be the signal taken around the world by our adversaries and by our friends and by the El Salvadorans who are trying to pull together a government that is making process, participating in elections and now offering a direct election of a president.

I think progress is being made toward the democratic process and toward a government that will be supported by the people, but this is the best, with the time we have, that I can put together as a proposal for the committee to consider.

Senator Biden and then Senator Tsongas.

Senator BIDEN. Mr. Chairman, obviously everything Senator Dodd said and you have said regarding time is correct. We are really up against it and really the only thing we can deal with right now is the reprograming request in terms of dollars.

But with regard to the letter, whatever form the letter takes, the consensus we arrive at, I don't disagree with anything any of you have said so far, and although I didn't hear Senator Kassebaum or Senator Dodd, I am very familiar with their proposal and their approach to this.

I have one additional concern, and I am sure we all have additional concerns, but it seems to me that one of the key issues which neither your letter nor the Kassebaum-Dodd approach directly addresses—implicitly it can be argued that it does—is the thing that concerns me

most about the administration's policy. That is whether or not the administration—and I know some of you have more faith than I—whether or not the administration is really attempting to, in a gradual, somewhat surreptitious way, move us into El Salvador deeper and deeper in terms of our physical presence.

I know that is why you have a cap of 55 on the number of people, but I don't think that goes far enough because you get into the question, then, the whole question of training. In all the testimony we heard, the major need that the El Salvador military has now is the need to train new brigades. In the Intelligence Committee they list the brigades they are looking at and what they want to train and how they go about it.

I am concerned, absent our making it clear as a committee what function the 55 in place can perform and what additional training can take place and where. Unless we do that, we are in for trouble.

Senator TSONGAS. Would the Senator yield? We have a time problem, Joe.

Senator BIDEN. I know we have a time problem. I listened to you and you listen to me a second, if you would.

Senator TSONGAS. I didn't say a word.

Senator BIDEN. It is a very simple proposal that I have for your consideration. It will take me literally 2 minutes. Time me. It says simply that we outline specifically what functions the 55 can perform, and it says that any additional training must take place within the boundaries of the United States of America.

I am not buying the administration's argument that it costs 10 times as much to train people in the United States. If it costs 10 times as much, I am willing to vote 10 times as many dollars to train them in the United States. What I don't want to happen is what has happened in the past and what I believe this administration intends on happening, and that is for us to get deeper and deeper involved by having more and more advisers out in the field, a part of operations and part of training in place, which I think is the major concern we should have.

That is what my amendment, when we get to one, will do. I would suggest that those two portions be added to the letter, if in fact we get some consensus.

I yield the floor.

The CHAIRMAN. I have a question and then I think Senator Tsongas was next and then Senator Kassebaum. A question on your proposal.

In the direction of the administration to do the training at Fort Bragg, what if some other country offered to permit training to be done in that country, let's just say Panama? Are you going to say anything about——

Senator BIDEN. I am concerned foremost with not getting involved because let's face it; whether you sit on this committee or you sit on the Intelligence Committee and you bring them all up, there is no way we can tell whether they are telling us the truth. There is no way we really know. There is no way whether we know the folks that are out there training these brigades aren't in fact directing the operation, aren't in fact going out on the actual attack.

So the only way to be sure of that is to make sure they cannot, as a matter of law, train in El Salvador.

I am willing to amend it if the chairman or anyone else thinks it should be—and you are being handed copies of it now—to say training of Salvadoran military security personnel should be carried out solely within the national boundaries of the United States. If you want to reword that to make it clear that it excludes El Salvador but allows it to occur in other places, that is not what I would like, but in the interest of time I would go along with that.

The CHAIRMAN. I accept that, then.

Senator CRANSTON. Mr. Chairman, in view of the very short time, I would like to say a lot of things about the El Salvador situation, and others would, but I think we should try to get to a vote now before we have to go to that rollcall, and I would like to suggest we vote on the Kassebaum amendment.

Senator KASSEBAUM. Mr. Chairman, regarding Senator Biden's proposal, since the only thing we are voting on this morning is the figure for the reprograming moneys, how do you factor that in?

Senator BIDEN. I would go with the higher number that the chairman has, if these conditions are attached, if a letter goes with it that sets out what our intentions are as a committee. If there is no such consensus on the committee, then I would go for the lower number. I would vote to put nothing in if that were the case. If we are not going to tie it down somehow and make it clear to the administration where we are going, then I would vote no money.

But given the option, I would rather have the letter along the lines that it is now, with the additions that I have suggested and the Percy number.

The CHAIRMAN. I would accept those conditions. I think it is highly desirable. I think it is the intention of the administration to do as much of the training as they can outside of El Salvador but at the lowest possible cost.

Senator BIDEN. The difference in the number, Nancy, is how many dollars between you and Senator Percy?

Senator KASSEBAUM. $14 million, I think.

Senator BIDEN. That is why I would go with the Percy number. It is not a lot. It is not worth the big fight for those dollars, in my view.

Senator CRANSTON. Nancy, can you move——

Senator PELL. Do you accept the modification of your amendment reducing your amount from $50 to say, $40, or do you feel that your $50 is the bottom line?

Senator KASSEBAUM. I would have to feel that was the bottom line, Senator Pell.

Senator PELL. I would still like to move an amendment or modification to your motion reducing it.

Senator TSONGAS. I have amendments, too, that I am going to defer because the time is going to run out in 2 minutes.

Senator PELL. Let's take a division vote. That will take 10 seconds.

Senator KASSEBAUM. Mr. Chairman, may I move first my original motion and then it can be amended? Is yours a motion?

The CHAIRMAN. Well, mine is in the form of a motion, and I have accepted the Biden modification. How far apart are we, Senator Kassebaum, on dollars now?

Senator PELL. $11.3 million.

Senator KASSEBAUM. Except it would, of course, I think, if you accept the Biden amendment, I am assuming that would add considerably. Then there is no way of knowing how much.

The CHAIRMAN. Well, it places incentive to have the training done, if possible, in the region.

Senator DODD. We don't know yet what they want to ask for. Why don't we go with what we have talked about here? If they want to do more training, they can come and make their request for it. It doesn't have to be part of reprograming. If they want to do what you have suggested, let them come and ask for the money.

Senator BIDEN. Haven't they already told us they are going to do it if we don't prohibit it?

Senator DODD. No; they have backed away from that position.

Senator BIDEN. They are going to do it.

Senator DODD. Well, let them come and ask for the money for it.

Senator BIDEN. This is reprograming money. That is the only hook we have.

Well anyway, Paul is right; time is passing.

Senator DODD. Mr. Chairman, there is a motion, I believe, before the committee and we are going to have to vote on the Kassebaum proposal.

Senator KASSEBAUM. The chairman's letter is the motion.

The CHAIRMAN. I put it in the form of a motion and I have suggested to Senator Kassebaum that we split the difference, put it down to $30 million, so we are only $5 million apart.

My problem is in reaching a consensus. That figure, as I understand it, is acceptable to her, but she doesn't like the Biden amendment. The Biden amendment can be taken up in the markup, obviously.

Senator BIDEN. What don't you like, Nancy? The requirement that they can't train in the country?

Senator KASSEBAUM. I have no problem with that, but I would question if indeed we accept that, then it would substantially change the amount of money that would be necessary, and it is not a part of the reprograming proposal.

I would agree with Senator Dodd's comments that if indeed this is what the administration would like to do, and the Salvadoran Government would support, they should come back to us.

Senator BIDEN. I agree they are going to have to. They are saying what they want this for is replacement and for hardware.

What I am saying to you is I see no—I think now is the time to make it clear that even the $2 or $3 or $5 million out of the total amount that they would use for the training cannot be done—establish the principle that they can't train in the country. I don't know how it affects the dollar amounts.

The CHAIRMAN. Just a second. When I said I accepted that, I accepted the fact that they would be limited to 55. That limit of 55 would stand. They could use funds for training in-country with those 55, but they cannot go beyond that. Obviously, then, whatever is over that would have to be done either out of country in the region or at Fort Bragg.

Senator CRANSTON. Let's vote.

Senator BIDEN. Let's vote. I agree.

The CHAIRMAN. Then with that understanding, Senator Kassebaum, couldn't you accept, then, the Biden proposal that we limit it to 55,

that they do in-country training up to the capacity of 55 advisers to do it, that they would then move to the regional, or if they can't do it in the region, it would be done at Fort Bragg. But it limits specifically, it puts a cap absolutely on——

Senator BIDEN. As a practical matter, they are going to have to come back to us for more training money if they are going to train more. I just want to establish the principle at the outset of how strongly I feel about them not building up our presence in El Salvador either by additional persons and/or by mechanisms of training within country which allows them the vehicle to be out in the field, which they should not be.

The CHAIRMAN. This is not an authorization for training money.

Senator BIDEN. I understand that.

Senator KASSEBAUM. Mr. Chairman, is there an understanding that there would not be any additional request for reprograming moneys or drawdown moneys unless they come to us with that request?

Senator BIDEN. I hope so.

The CHAIRMAN. That would be my understanding. If we proceed in this way and we can give a strong consensus to them on this formula, my understanding would be that though the administration admittedly does not like this and would not support this, and we know that, but it is my understanding that they would observe the principles that have been established and the procedure established by the Appropriations Committee, which if we gave them a major consensus of the committee on this, they would then treat it exactly as they have the major consensus.

This is why Senator Kasten said this morning it is necessary for him, as they move, to get a full consensus of that committee. That is the way they have always operated in the past.

Senator KASSEBAUM. I am very appreciative of the chairman's efforts to try to pull a consensus together. I think with those understandings, I would have no problem.

Senator BIDEN. And the in-country U.S. advisers will be subject to the same restrictions they have been up to today?

The CHAIRMAN. Absolutely.

Senator DODD. I have problems with it. I object because it blows the ceiling. We talked about $50 million annually for 2 years. There are a lot of other provisions here. We have worked long and hard over this, and now we are going in 2 minutes, to draft something here in a consensus, and we don't even know what we are talking about. We don't know what we are talking about here, and we are trying to do it in 2 minutes. We have spent long, hard hours. We have been through this proposition with almost every member of this committee.

Senator KASSEBAUM. We have a guaranteed ceiling of $30 million of reprogramed money; is that not correct?

Senator DODD. And it reaches now $55 or $60 million, so it blows the $50 million ceiling. We are well above that, so we are getting right to where they want us to be.

The CHAIRMAN. $30 million of military.

Senator DODD. Plus $26.3. That is already part of it.

Senator PELL. I thought you split the difference.

Senator DODD. I would move that——

The CHAIRMAN. Senator Dodd, we could bring up our other concerns in the fiscal year 1984 bill, of course.

Senator CRANSTON. He has made a motion of a substitute.

Senator DODD. I would like to vote on the Kassebaum proposal as a substitute, with the instructions that it be drafted in letter form, incorporating the concerns of Senator Biden. I would ask for yeas and nays.

The CHAIRMAN. I have amendments. As I notified the committee yesterday, I am not prepared to vote on the Kassebaum amendment. I have six amendments and I said yesterday that I would want those amendments, and we have discussed those amendments with staff and with the Senators, I believe.

Senator DODD. I have never seen them.

The CHAIRMAN. So I am not prepared at all to vote on that amendment. That is why I am offering this one, in order to find something that we can reach a consensus on, and with one exception, we have a consensus.

Senator DODD. Let me withdraw my motion. Let me move that we reject the reprograming, period. Then we can come back and talk about the letter we want to write. All of us are rejecting the reprograming request. That much we all agree on. Let's vote on that and then we will write the letter on the consensus basis. I would move that.

Senator TSONGAS. I move in substitution that we meet when the Senate goes out of session tonight and do this rationally.

The CHAIRMAN. That we what?

Senator TSONGAS. That we reconvene when the Senate goes out of session.

Senator DODD. We have a request before us on the reprograming. We know we are not going to flatly reject it. We are going to come back and reach some middle ground. But in order to meet the deadline, this committee will express its opinion on rejecting the reprograming request and then we will work out the details.

The CHAIRMAN. I would suggest we go down and vote and meet in S–116 and see if I can't——

Senator DODD. You can't do it.

Senator KASSEBAUM. We can't do that by 12.

Senator DODD. We are the only committee in the Senate that can't meet after 12.

The CHAIRMAN. I will talk with Senator Helms and reason with him and ask him to come to the meeting.

Senator SARBANES. Good luck.

The CHAIRMAN. We will recess for the vote and meet in S–116, subject to the possibility that I can get a release on that.

[Whereupon, at 11:50 a.m., the committee adjourned, to reconvene at 10:20 a.m., Thursday, Mar. 24, 1983.]

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EL SALVADOR: REPROGRAMING

THURSDAY, MARCH 24, 1983

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 10:20 a.m., in room S-116, the Capitol, Hon. Charles H. Percy (chairman of the committee) presiding.

Present: Senators Percy, Helms, Lugar, Kassebaum, Pell, Biden, Sarbanes, Zorinsky, and Dodd.

The CHAIRMAN. The committee will come to order.

I would like to take up as the first order of business this morning—because there appears to be no opposition to it—section 404 of the Agricultural Export Equity and Market Expansion Act of 1983. Senator Zorinsky, you can offer the amendment if you care—it is the Zorinsky-Percy amendment—to that bill. Do we have copies of it before all committee members?

If you would care to read the amendment, Senator Zorinsky.

Senator ZORINSKY. Yes, fine, Mr. Chairman.

Mr. Chairman, in 1981 I had offered a floor amendment to the International Security and Development Cooperation Act of 1981 that required that 15 percent of the economic support fund [ESF] be available annually for commodity import programs [CIP] as part of our foreign assistance efforts to be used for the purchase of agricultural commodities and agricultural related products.

That amendment became law, and has been operational for 2 years now with no adverse consequences to our ESF programs.

As you know, Mr. Chairman, U.S. agricultural exports were at there lowest level in 3 years, declining some $7 billion below 1981's levels—the first such decline in 7 years.

Such a decline in exports could not come at a worse time, not only because it further erodes our substantial trade deficit of $32 billion, but because huge stocks of American agricultural products—valued at $5.5 billion—remain in storage facilities—costing the American taxpayer annual storage charges of $240 million.

It makes perfect sense to use ESF funds made available for commodity import programs to provide food to needy people while at the same time reducing those huge surpluses and lowering the costs of storage.

I think that it is time to expand the percentage of CIP funds to be used for the purchase of agricultural commodities and agricultural related-products in light of the current state of the U.S. farm economy. Both farmers and recipient nations can benefit from this approach.

The CIP program has been approximately 20 percent of the total ESF program—approximately $500 million in fiscal year 1982 and fiscal year 1983—and is expected to total $575 million for fiscal year 1984.

My amendment would raise the percentage of CIP funds to be used to purchase agricultural commodities and agricultural related products from 15 percent to 35 percent. In addition this amendment contains a specific 20 percent earmark for the purchase of agricultural commodities.

The amendment states,

The President shall use an amount equal to not less than 35 percent of the funds appropriated to carry out this Chapter and made available for commodity import programs for the purchase of agricultural commodities and agricultural related products which are of United States origin, except that not less than 20 percent of such funds appropriated to carry out this Chapter and made available for commodity import programs shall be used for the purchase of domestic agricultural commodities; one-half of the amount used for agricultural commodities shall be used to purchase processed or value-added products of such commodities.

It is quite obvious that the decline in agricultural exports this past year indicates a need for this legislation.

Mr. Chairman, I certainly thank you very much for cosponsoring this.

The CHAIRMAN. Without objection Senator Pressler will be added as a cosponsor also.

The reason that this must be done today is that the Agricultural Export Equity Market Expansion Act of 1983 has been sequentially referred to the Foreign Relations Committee. Our deadline is March 25, tomorrow, for the purpose of considering section 404.

Section 404, originally introduced by Senator Dole, requires that not less than 20 percent of the funds appropriated to the ESF shall be used for the purchase of domestic agricultural commodities. Half of the 20 percent would be used to purchase processed or value-added products.

The administration is opposed to this provision, primarily because they believe it is unworkable. A large portion of the ESF program consists of cash grants and project assistance, neither of which could be used to implement the provisions of this amendment. The only portion of the ESF program that could be used to implement this Dole amendment is the commodity import portion of the program.

As Senator Zorinsky has indicated, he offered a floor amendment in 1981 to the International Security and Development Cooperation Act of 1981 to require that 15 percent of ESF funds made available annually for commodity import programs as part of our foreign assistance effort be used for the purchase of agricultural commodities and agricultural related annually.

That amendment became law and has been operational for 2 years now, with no adverse consequences to our ESF programs. U.S. agricultural exports today are at their lowest level in 3 years, declining some $7 billion below 1981's levels—the first such decline in 7 years.

Such a decline in exports could not come at a worse time, not only because it further erodes our substantial trade deficit of $32 billion but because huge stocks of American agricultural products—valued

at $5.5 billion—remain in storage facilities, costing the American taxpayer annual storage charges of one-quarter of a billion dollars.

It makes perfect sense to use ESF funds made available for commodity import programs to provide food to needy people, while at the same time reducing those huge surpluses and lowering the cost of storage.

I think it is time to expand this percentage of CIP funds to be used for the purchase of agricultural commodities and agricultural-related products in light of the current state of the United States and foreign economies. Both farmers and recipient nations can benefit from this approach.

The CIP program has been approximately 20 percent of the total ESF program, and approximately $500 million in fiscal year 1982 and fiscal year 1983 and is expected to total $575 million for fiscal year 1984.

The substitute amendment that I offer then on behalf of Senator Zorinsky, myself, and Senator Pressler, would raise the percentage of CIP funds to be used to purchase agricultural commodities and agricultural-related products from 15 to 35 percent.

In addition, this amendment contains a specific 20-percent earmark for the purchase of agricultural commodities.

I think you have offered the amendment, Senator Zorinsky.

Senator ZORINSKY. I have.

The CHAIRMAN. I will second the motion, then. It has been moved and seconded. Is there further discussion?

If not, all those in favor say aye.

[Chorus of ayes.]

The CHAIRMAN. Opposed?

[No response.]

The CHAIRMAN. The motion is carried. Polling will be kept open for other Senators. I also move that this same provision be added to the foreign assistance authorization bill that we are about to mark up.

Without objection, then, that will be approved. I move that we report S. 826, as amended, to the floor. Without objection, it will be reported to the floor.

I thank you, Senator Zorinsky, very much indeed for once again having the foresight to see this problem years ago. It is even more urgent that we take this action today.

We now will move into the matter of El Salvador and reprogramming. I would like to personally express tremendous gratitude to Senator Kassebaum and Senator Dole for the long hours that we put in together yesterday.

Senator KASSEBAUM. Mr. Chairman, I think you meant Senator Dodd.

The CHAIRMAN. Excuse me, I had Mr. Dole on my mind. [Laughter.]

Senator DODD. He does everything else around here.

The CHAIRMAN. That mix-up is no "conflict of interest," it is just "interest" in both Dole and Dodd. [Laughter.]

Senator Dodd was very attentive and the hours that we put in, I think, have been extremely productive:

The Senate Foreign Relations Committee is currently reviewing United States policy in El Salvador in the context of its consideration of the annual foreign assistance authorization legislation.

In view of the fact that the committee has not completed its consideration of this legislation, the committee wishes to register its objection to the reprograming of the full amount of security assistance proposed by the administration for El Salvador in fiscal year 1983. The committee does not object to reprograming $30 million in FMS credits. In addition, the committee believes that the level of ESF assistance in fiscal year 1983 should not exceed the fiscal year 1982 level of $115 million.

This is, by the way—for those who were not here yesterday—this is the draft letter that has been drafted and finished in our meetings yesterday. A draft letter from the chairman and such other members as would wish to sign it to the Secretary, on which we hope to reach a consensus today.

Senator DODD. This is the letter?

The CHAIRMAN. This is the letter itself, right:

It is the opinion of the committee that in the absence of extraordinary circumstances, future requests for assistance for El Salvador shall be presented to the Congress for legislative approval without the use of extraordinary authorities.

The committee believes that the policy of the United States should be to encourage a peaceful resolution to the conflict in El Salvador and to support the evolution of democratic forms of government in that country. The committee further believes that the United States should use its good offices to encourage any unconditional dialog among all parties to the conflict in El Salvador in the hope of achieving a political resolution.

The committee also believes that the number of United States military trainers and advisers in El Salvador should be limited to not more than 55, and that those personnel should be subject to current operational restrictions and rules of engagement. Moreover, the committee believes that any additional training to be provided by these or other funds for the Salvadoran military in fiscal 1983 should be limited strictly to training at facilities in the United States.

In addition, the committee firmly believes that an essential element of continued United States support for the Government of El Salvador must be prompt and far-reaching reforms of the judiciary in El Salvador which will serve to remove corruption, political interference and intimidation from the judiciary process. Moreover, the Salvadoran Government must give the highest priority to the prosecution of those responsible for the murders of the eight Americans assassinated in El Salvador since December 1980.

The committee takes this action on the March 10, 1983, reprograming request without prejudice to its subsequent consideration of pending fiscal year 1983 supplemental and fiscal year 1984 authorization legislation.

Now I would like to turn to each of our colleagues in whatever sequence they would like to comment on this. I would just repeat for the record and for some of you who were not here yesterday some of the things that we did consider.

Yesterday, I stated unequivocally that I personally support the President's entire March 10 foreign assistance reprograming request for El Salvador. I still support the entire request.

But I can also count votes and I know that the majority of this committee would be prepared to veto the entire reprograming request if put to an up-and-down vote. Therefore, I have set out during the last 24 hours to maximize the level of reprograming assistance and to gain a committee consensus on U.S. policy toward El Salvador.

I would note that I view this decision on assistance levels as an interim decision. The letter that I have read for the record clearly states that the committee has not completed its consideration of the foreign assistance legislation and that this letter does not prejudice

the committee's subsequent consideration of the pending fiscal year 1983 supplemental legislation.

In the interim, the $30 million in military assistance, I believe, will meet the Salvadoran Armed Forces' immediate needs for defense consumables such as ammunition.

This committee has no intention of depriving the Salvadoran military of needed defense equipment. I think that was apparent in our discussions yesterday.

During our upcoming committee markup I will work to provide increased levels of grant military aid to El Salvador for several purposes, including military training outside of El Salvador.

I do believe that this program has definitely proven—in the trial runs that have been made with troops being trained at Fort Bragg—that the country is better protected. It has better provided for its defense against outside, exterior forces that have been bringing in arms in a steady supply. It enables the country to give a chance to itself to defend itself.

Also and equally important, all of those troops that have received training have demonstrated competence in the field, improved competence, and have also improved their respect for human rights. That has been a very important part of the American training. I think in that regard we can be extremely proud of the work that has been done by our own forces in accordance with the highest ethical standards.

During our upcoming committee markup I will work to provide increased levels, as I have said. I personally believe that the requested $140 million economic support level is justifiable, and I will also work during the upcoming committee markup to restore this level in fiscal year 1983. I would note that there is no objection to reprogramed development assistance.

At the same time, however, this committee has several suggestions to make both to the United States administration and the Salvadoran Government. The actions that we are taking today are intended to get their attention.

The three major points the committee wishes to make related to a negotiated solution to the conflict. The use of United States military advisers and the Salvadoran judiciary system. In this regard we have had outstanding expert testimony simply saying that one of the greatest problems that El Salvador faces today is the lack of institutions such as a judiciary process. People will not have faith in that government, they will not be able to support that government if they feel there is not a likelihood of justice prevailing in the courts.

We have had a dramatic illustration ourselves that despite all of the efforts of this government—and I believe the executive branch has exerted strong pressure just as this committee has exerted strong pressure—we have seen a total breakdown of that judiciary system so far as, really, moving ahead and finding and prosecuting the guilty persons, guilty of murdering eight Americans.

With regard to negotiations—and this is a very important matter on which there are very sharply held views—this letter that I have read calls for an unconditional dialog among all parties to the conflict in El Salvador in the hope of achieving a political resolution.

This committee wants these negotiations to begin now. We do not want to provide the left-wing groups in El Salvador with any excuses to avoid these negotiations. At the same time, however, the letter states that it should be the United States policy to support the evolution of a democratic form of government in El Salvador. We do not intend that these negotiations should undercut democracy in El Salvador.

The second point the committee wishes to make is that the number of United States military advisers and trainers in El Salvador should continue to be limited to 55, and we have clearly stated that in our letter.

In addition, there should be no change in the current operational restrictions and rules of engagement pertaining to United States military advisers in El Salvador. We believe the administration is following a wise policy in this respect. Therefore, any increased level of military training for the El Salvador Armed Forces should be conducted outside of El Salvador.

Third, there is wide agreement that the Salvadoran judiciary system needs prompt and far-reaching reform if the United States is to provide higher levels of security assistance in the future. The lack of progress in the prosecution of those responsible for the murders of the eight Americans assassinated in El Salvador since December 1980 is only one example of the problem, but one that strikes close to home.

In conclusion, I believe the limitations and policy guidance set forth in this letter meet the immediate needs of the Salvadoran Armed Forces, while sending an important message to the Government of El Salvador and, I believe, an important message also—as is our responsibility—to communicate directly with the President and the executive branch of government to advise them, just as our Appropriations Committee at least in the Senate and after the recess in the House, of what we are doing in accordance with our authority under reprograming.

Senator Pell, I would be happy to call on you next. Perhaps you would like to hear from the two members who have worked on this draft to get their views and then you could sum up your views in whichever way you would like to.

Senator PELL. You have made a statement with one view. I think we ought to put on the table perhaps a different view, too.

The CHAIRMAN. Senator Pell is recognized for such purpose.

Senator PELL. Thank you.

I think a good many of us—I know I speak for myself and I believe there are others—who would like to see no reprograming at all and see them get along on the $26 million that is there.

In regard to the letter, I recognize how awfully hard Senator Dodd has worked; how awfully hard Senator Kassebaum has worked; and how awfully hard you have worked, Mr. Chairman.

I made a commitment to Senator Dodd that I would—unhappily—bear with him in this from the point of view of consensus, with one additional sentence in there which I know he does not object to.

As you read that letter and as I look at it, it really is awfully weak. For example, on the peaceful resolution of the conflict, the negotiations, there are four qualifications: the committee further "believes" the United States "should" use its good offices to "encourage" an un-

conditional dialog among all parties in the "hope"—four words of that sort.

I am wondering what the reaction of the group would be to making sure that there is some kind of concurrence on the part of the State Department in what we are saying because otherwise this is just a very nice expression of motherhood.

I would just like to throw on the table in this discussion that there should be some way of ensuring that we are presenting more than just a statement of highest hope; some assurance that this will be U.S. policy. What you are saying is, we "hope" it will be our policy. What we need is, it "will" be our policy. If we give them the half-loaf they want—that is a darned big loaf—it seems to me there should be something of a specific nature in what we are getting in return. This is not specific.

The CHAIRMAN. I think it is a perfectly reasonable request. The letter is addressed to the Secretary of State. I would have no objection to ending the letter by requesting the Secretary to respond back to be assured that he concurs with these objectives and goals.

Now, he cannot concur with the figures because he disagrees with the figures, and I disagree with the figures. I think we are cutting them down too thin. But on the other hand I see no reason that the Secretary cannot be asked to concur that these goals that we have laid out are reasonable goals.

Senator PELL. I thank you.

Senator KASSEBAUM. Mr. Chairman? I am sorry, Senator Pell, did you have some other remarks?

Senator PELL. No. One other sentence that I hope could be inserted in there is that we would say, "While many members would prefer that no reprograming take place the preponderant view of the committee is not to object to reprograming the $30 million in FMS credits."

Senator KASSEBAUM. That is the view, I know, of one on this side too. But if I might comment, Mr. Chairman, on Senator's Pell's concern.

Senator PELL. And incidentally, this is in no way criticism.

Senator KASSEBAUM. No.

Senator PELL. I know how awfully hard you have worked on it.

Senator KASSEBAUM. It was our frustration as well as to how you get language that can convey the strength of one's feelings on that subject. I suppose our real leverage is in the amount of money that we give because in many ways our role is—as certainly you know far better than I, being the diplomat—to advise and consent.

I think our role is not to totally tie up through A, B, C, D, qualifications because we have found that those can easily be avoided and made a mockery of in many ways.

It seems to me that our responsibility as a committee is to outline a policy framework that we believe is important here in the Foreign Relations Committee and is a consensus of this committee and of the Senate or House. Beyond that, our role is then to determine how much money should go and if within that framework these initiatives are indeed being undertaken.

I think at this particular point in time we were simply addressing reprograming. When we get back to the foreign aid authorization and supplemental after the Easter recess, we will have the opportunity

to further look at the request of moneys and how indeed then we will interpret it beyond this reprogramed figure.

That is what we were struggling with in laying this out. I think that certainly it is more money than some would want, it is less than others. As you well know, you strike a balance. We felt it was important in this initiative not to qualify it as the Senate Appropriations Committee did with a written guarantee to the State Department that if such qualifications would be met, that indeed this money is there.

On and beyond that, these are policy initiatives that we believe are very important. That was how we arrived at the language we used.

Senator PELL. But we want to do more than just say, we think these are important.

Senator KASSEBAUM. Exactly.

Senator PELL. That means that if we are going to give them this pretty generous half loaf, there should be some concurrence, empathy on their part, not just a comment that, "This is a nice goal, gentleman and ladies," but some kind of acquiescence on their part.

Senator KASSEBAUM. I would like to say too, Mr. Chairman, I really do appreciate your sensitivity and your patience in talking to us and helping us get this work out because it has not been easy, particularly in light of those who say the Foreign Relations Committee does not have really a role to play in reprograming at all.

I think it has been clearly stated that we do, and we have tried to do it in a way that would, indeed, be responsible. Your patience in helping us work out some resolution to this is certainly greatly appreciated.

The CHAIRMAN. Thank you very much indeed.

Senator PELL. Mr. Chairman, I have a sentence here that might meet the thoughts that we are talking about, ending up the letter, "In preparation for the committee's markup in the fiscal year 1983 supplemental and the fiscal year 1984 authorization"—that is looking ahead—"the committee would appreciate having your assurance that you concur in the committee policy recommendations set forth above."

In other words, we are talking in the future and we are saying we would appreciate having the administration's concurrence, implying that it will be a factor in our thinking.

The CHAIRMAN. I have done it this way, I have just drafted it out. "The committee would appreciate your comments on these positions that have been taken by us, and we wish to have your assurance that there will be full consultation as we move toward our commonly-held goals to achieve peace and progress with the people of El Salvador."

Senator PELL. Could you read it once more?

The CHAIRMAN. I would give it to you if you could read it. You cannot read it.

Senator PELL. Sure I can.

The CHAIRMAN. You are a genius, then.

Senator PELL. "The committee would appreciate your comments on the positions that have been taken by us and may wish——

The CHAIRMAN. "And would wish."

Senator PELL. "And would wish to have you concur——

The CHAIRMAN. "Have your assurance."

Senator PELL. "And have your assurance that there will be full consultation as we move toward our commonly held goals——

The CHAIRMAN. "To achieve peace and progress for the people of El Salvador."

Senator PELL. I do not like asking only for an assurance on consultations, but I would be interested in other comments.

The CHAIRMAN. Does that sound all right with you?

Senator KASSEBAUM. It sounds fine with me. Senator Pell, you had some language earlier that you wanted to include.

The CHAIRMAN. The sentence that was mentioned in your comments, that you wanted to add.

Senator KASSEBAUM. Yes. Where was that to go?

Senator PELL. Oh, I see, this is the one that would come in about the third sentence, "The committee does not object to reprograming $30 million." I would put in there: "While many members would prefer that no reprograming take place, the preponderant view of the committee is not to object to reprograming $30 million in FMS credits."

Senator Dodd and I discussed this yesterday.

Senator KASSEBAUM. I think that is very good.

Senator PELL. Because frankly, at home in my State, in my area they feel strongly about it. If it came to a vote I would vote not to reprogram.

The CHAIRMAN. But if you do that, if you give the full context of it, there are at least five or six Senators that would want the full amount.

Senator PELL. I would have no objection to your inserting that, in other words, this comes as a proponderant view as the result of the hard work of Senators Kassebaum and Dodd.

The CHAIRMAN. Why not say that some Senators would want your wording and some Senators would want the full program?

Senator PELL. Sure, there is no objection on my part at all.

Senator KASSEBAUM. Mr. Chairman, there are a couple of other just technical changes. In that same sentence where we say FMS "guarantees," it should be FMS "credits." I think this was just a change that was made in the final draft that was not there.

Also, in the final draft where we say, "Moreover, the committee believes that any additional training to be provided by these or other funds for the Salvadoran military in fiscal 1983 should be limited strictly to training facilities in the United States or in Panama."

We would leave off "or in Panama."

Senator DODD. Why is that?

Senator KASSEBAUM. Just because it is important, I think, to limit it to the United States and not make it sound as if we are using Panama.

Senator DODD. There is a U.S. training facility in Panama. I think Senator Biden felt comfortable enough with that training facility in Panama as a possible locus for training, as well as in the continental United States or in Puerto Rico, for instance. That was the reason intended.

Senator SARBANES. I think it would be better to follow Senator Kassebaum's suggestion on that issue.

Senator DODD. Why?

Senator KASSEBAUM. I think it is a little condescending in a way to just take for granted—of course, we could use our base there—

but somehow saying "in the United States or in Panama." Why not say, "or in Costa Rica?" I think it is better to put it right in the United States.

Senator SARBANES. The training facility which Senator Dodd has made reference to—if my understanding is correct or my recollection is correct—either closes down or comes up for extension in some near period. It seems to me that we ought to leave it out of this.

Senator DODD. That was the language of Senator Biden, was it not?

Senator SARBANES. Why complicate the relationships with another country?

Senator DODD. No problem. I do not have any serious problem.

Senator ZORINSKY. I think it makes a difference as far as spending the dollars and how far they go if you are going to allow training. I was at the White House about a week ago talking about this very subject, and there is a 10-to-1 ratio as to cost differential between training in our country and training in El Salvador. It is 10 times as expensive bringing them up here as doing it down there in Central America.

That is why I think if we are going to reduce dollars and permit training, that the taxpayers of this country who are providing those dollars in amounts which many at this table do not agree with, ought to be protected to the extent that you get the best bargain for that dollar. As long as training is going to be allowed, we may as well do it as economically as possible.

Maybe we should not zero in on the name of a particular country, but I do not think we should specifically limit the training geographically to the continental limits of the United States. It seems to me that we should allow them to take advantage of cost differentials in training.

Senator DODD. How about saying "U.S. facilities in Panama?" Obviously, if there is no longer a U.S. facility in Panama the issue goes. It is not singling out the country, we are recognizing the existence of an installation there. So, it gets away from the people wondering why Panama, why not Costa Rica.

We know the reason it is Panama is because there is a base there. That is the reason we are mentioning it. It is a cost. There is significant training cost differential between training overseas and in the United States.

Senator SARBANES. Why is that?

Senator DODD. Just a difference in cost of living. It is about 10 to 1.

Senator KASSEBAUM. The cost of bringing them here.

Senator DODD. Whatever it is.

Senator SARBANES. Well, I know the cost of bringing them, that is just a longer plane flight. What other cost differences?

Senator DODD. Food. I do not know whatever else it is. What numbers were we given?

Senator ZORINSKY. Cost of subsistence; cost of lodging; cost of transportation.

Senator SARBANES. I understand the transportation. You get them on a big plane and that plane flies farther to bring them here instead of right there. But beyond that, what are the extra costs that are involved?

Senator ZORINSKY. I am sure the administration would have those figures. They quoted them at the meeting.

Senator KASSEBAUM. Yes. I do not know.

Senator SARBANES. I guess it is probably attributed costs unrelated to actual costs. You put them in a facility, in a barracks.

Senator DODD. What is the reason for this?

Senator SARBANES. There is a U.S. training facility—let us put it right out on the table—in Panama that expires in 1984. Now, if we draw them into this controversy, will there be such a training facility after 1984 if, in fact, we want to have it?

I just think we are complicating other relationships.

Senator DODD. The only reason we are talking about it is, we do not want the training to occur in Argentina, Honduras, Guatemala, and places where they are going to cause potential difficulties.

The CHAIRMAN. I think we ought to do what Nancy suggests here. I think they can come in on the supplemental for the extra money and try to demonstrate the cost. The only extra cost, I understand, is the transportation one. I assume they will roughly eat the same thing in both places and sleep in comparable quarters in both places, and receive comparable training.

Senator KASSEBAUM. Is anybody here from the administration that can answer exactly why the additional costs?

The reason for the suggestion on the part of some of us on taking out Panama was the very reason that you mentioned, Paul. I think it complicates the diplomatic relationship at this point unnecessarily by specifying it there.

We could say, "To established U.S. training facilities" in lieu of "Panama."

The CHAIRMAN. Why not just concur, without objection, concur with Senator Kassebaum on this particular point? We can always come back if there is some change in the status of it. But at this particular time before negotiations have been undertaken, the matter has been fully studied, probably just leave it this way.

What we are saying is, we certainly do not want to carry it on beyond the 55 trainers in El Salvador. But just restrict it to U.S. training. Is that what you are proposing?

Senator KASSEBAUM. Well, I was given this as something that everybody had agreed to.

Senator DODD. We were just talking about the training facility in Panama as one possible locus for it.

Senator ZORINSKY. It was not in the letter.

Senator DODD. Panama?

Senator ZORINSKY. It is not in the draft.

Senator KASSEBAUM. In the final draft it is not. In the earlier draft it was.

Senator SARBANES. I think the final draft is appropriate.

Second, the reprograming is essentially directed toward equipment and not to training in any event.

Senator KASSEBAUM. That is right.

Senator ZORINSKY. Does this mean they cannot train in El Salvador, then?

Senator KASSEBAUM. No.

Senator ZORINSKY. Then why do we have advisers?

Senator KASSEBAUM. Because it said "additional." The language is, "The committee believes that any additional training" beyond what is already provided for now or any of the reprograming money if it does go to that, to be provided by these or other funds for the Salvadoran military needs.

Senator ZORINSKY. Concurrent training could exist in El Salvador or other places.

Senator KASSEBAUM. That is right, under the present limitations of the money that is there.

Senator SARBANES. This is the first effort by Senator Biden to try to place a limitation upon the locus of the training. He is not trying to affect what is already taking place but he is concerned about developments that may occur in that area and sought to limit the locus of the training.

I think it is sensible, as I heard him explain it yesterday, but I think the wording in the final version is the appropriate one. I agree with Senator Kassebaum on that.

Senator DODD. Fine.

The CHAIRMAN. Well, let us just go with the final draft for now. We can always bring it back up again at the time of our full markup. Without objection, then, we will stay with that final draft as read by Senator Kassebaum.

Senator Dodd.

Senator DODD. Mr. Chairman, let me very briefly mention a couple of things, it has been expressed by others here this morning. If I were to examine this letter, taking each of the various parts of it—not considering the whole—I would have very strong objections over the figure of $30 million. I thought an original figure we had talked about of $23.7 million was high for emergency reprograming.

I would have certainly provided something for the emergency, but this figure of $30 million is not a figure I would support, if it stood on its own.

Second, I would have more clear-cut language, and I would use the word "negotiations" if I were drafting it. If it were my idea alone and I was the only one I had to convince that is what I would have in there. So, I am not entirely satisfied with that.

I would tie this right up and I would want absolute concurrence by the administration with my views and ideas, if I were drafting this alone and did not have to write a whole letter to deal with consensus.

On the advisers, I find that to be a good paragraph. That is something I would support as we put it in the letter.

My point is this, that this is an awkward process we are involved in. It is the first time in the history of Congress that this committee has been involved in reprograming. It is precedent setting for us. It is a confusing, vague, obscure process and maybe it needs to be improved and tightened up. It is an understanding; it is tradition on how this committee or the other committees—the Appropriations Committees—respond to an administration request for reprograming.

So, we are really sort of sailing in uncharted waters for this committee. I think it is extremely important, certainly as important as this issue, that we be heard and be involved.

So, with that in mind, while I disagree with a number of parts of this letter and have said so publicly, as a whole I think it is an extremely worthwhile effort.

Senator Kassebaum and I have said that while the numbers are important and we do not minimize the importance, what is far more important and what we hope we can make others understand is that the policy is the most important thing. I do not care how much money you spend if you do not have a policy in terms of dealing with El Salvador. We are a policy committee, we are not an Appropriations Committee. So, we are not just talking about numbers when we talk as a committee.

In this letter we have incorporated a number of policy considerations which are extremely important, one of which is to move on a fresh beginning toward some sort of a political resolution, a resolution that will involve a dialog between the adversaries in that country, without telling them exactly what they ought to be discussing or framing it for them—even though we state over and over again, we would hope it would be a democratic process. But we are not telling them that, which is what many of us in Congress have felt should be the proper approach for this country to be taking.

So, while I disagree with parts and I am entirely sympathetic to my colleague from Rhode Island and can appreciate his deep feelings about this issue, and I share these feelings with him and Senator Sarbanes and others who have expressed those points of view, I would urge my colleagues to think of this as a whole, as something that involves a number of parts but must be expressed as a proposition involving points which will have some disagreement.

So, I am urging my colleagues to support this in whatever form we decide to support it—whether signing it, however the chairman or others in the committee feel this ought to be communicated properly.

Mr. Chairman, I would be remiss if I did not also state at this moment—and you were very generous in your time yesterday, it was most appreciated—but I would like to also specifically identify Bob Eagleman from Senator Kassebaum's office; Jerry Connolly, Barry Sklar, Bob Dockery from my office; Margaret Hayes, Hans Binnendijk, and Ed Sanders—I may be leaving some others out who were in that room. We spent a lot of time on this and we gnashed a lot of teeth and went through a lot of arguments over what words ought to be included in here. It is that kind of an effort that was involved.

I would urge my colleagues to support this, even though it does not include everything that each and every one of us would write if we were writing it just for ourselves to communicate a piece of personal correspondence to the Secretary of State.

I am delighted once again to be joining my colleague from Kansas. She really took the lead on this early on, on this particular effort, of trying to do something new. All the effort was on certification. This is a fresh, new start. It is not everything we would like but it is this a fresh, new start and hopefully the administration will accept it in the tenor in which it is offered, as an effort to work with them.

I might say as well they have not been—in my mind anyway—as forthcoming with some of us here who have spent long hours, weeks

and months, on this issue, to try and sit down and spend some time with us. My hope is that that will change, that it will not just become a political game up here of who wins a vote.

If we want to play voting games, we can do that. That is easy. We have done that in the past. But there have been efforts and offers made to sitdown and try and work out this thing in such a way that it makes sense for our country.

This idea of sneaking around, trying to see to it that this committee cannot meet so that we cannot take a position on these things is just the wrong direction to be heading in, in foreign policy. So my hope is that the administration will not try and play a political game on this issue because I am prepared to play that game if they want to play it that way.

This is an expression on our part to say we are trying to develop a consensus and to work in a constructive fashion in developing a foreign policy in one of the most important areas of the world.

The CHAIRMAN. And we did find a precedent-setting way to work around the rules yesterday, and within the rules, and still accomplish our end purposes.

Senator DODD. We just informally sat and talked.

The CHAIRMAN. I want to join with you in commending the staff who did such a fine job in working with us.

Senator KASSEBAUM. I would just like to add, that meeting when we were working on this letter was open to anyone who wanted to come and participate in that meeting. You named the people who were there for the large amount of time. But it was open and we encouraged that everyone participate in the process of drafting this letter.

The CHAIRMAN. It was held in a small room, though. [Laughter.]

Senator DODD. The doors were locked.

The CHAIRMAN. Senator Sarbanes?

Senator SARBANES. Mr. Chairman, I want to commend you and in particular Senators Kassebaum and Dodd for the work on this letter.

I quite frankly was prepared to vote against any reprograming and I have a number of serious questions here. But I do think this is a very constructive effort.

The figure is $30 million, markedly less than the administration was seeking to reprogram. That in itself, I think, represents an important judgment by this committee.

The context of policy into which we are placing this, I think, is very important. This is a strong statement by the committee as to what we believe the policy should be, what we expect and anticipate the policy will be, and the perspective in which we will be reviewing any additional request with respect to aid as it involves El Salvador which must come before this committee, both in the supplemental and in the fiscal 1984 bill.

So, a good deal has been accomplished by this letter and, while I share some of the sentiments that have been expressed that each of us left to our own preferences would have done it differently, I have indicated my view there. I think in the effort to develop a strong consensus this is a very skillful piece of work.

I want to speak for just a moment on a broader issue because I think a view was stated yesterday, in fact by the chairman on reprograming, that somehow our role here is a privilege. I noticed a comment in the paper by an official in the State Department, "The views of the Members of Congress and the committees of Congress are obviously something we have to take into account but I cannot say for certain what the response will be to a particular committee."

The fact of the matter is that reprograming, just like the procedure we have established for disapproving foreign military sales, is an extension by the Congress to the executive branch of a certain degree of discretion. To some extent the thinking on that has been turned upside-down and made to appear that when the Congress acts, somehow we are trespassing upon the otherwise normal authority of the executive.

We appropriate the money. We could do it in such a way that they had to get a specific approval for a specific amount, for a specific country, period.

The Congress has chosen not to do that and instead to extend some leeway and authority or discretion to the executive. It seems to me that we ought to come back to the basic view that to allow the executive to move money around as they choose when the money has to be approved by the Congress is to begin with, to give the executive some discretion. To try to act on the matter is not really taking back from them something they ordinarily would have; ordinarily the authority resides in the Congress.

In this instance our committee was involved here on the basis of a specific undertaking by Secretary Buckley in a letter to the chairman of May 13, 1981, at a time when it was clear that otherwise we would actually place into law what was in effect the Dodd amendment concerning reprograming, and we received their assurance that they would come to the committee and seek its views with respect to any reprograming.

I just want to raise this as a broader issue—it does not apply specifically here—but I think if we are going to continue to have the committee and the Congress pressed into a corner and have it made to appear that every time we exercise what I think is our charge under the Constitution that somehow we are usurping executive authority, we simply ought to make it very clear in the law that in order to get money the executive has to come to the Congress. If we are going to give it, we will give it only in very specific terms, and in specific amounts, and to a specific country. If the executive wants to change that in any way, they have to come back to the Congress again and obtain affirmative approval for it.

To the extent we have set up systems that allow some reprograming with consultation, allow arms sales to go forward unless they are rejected by the Congress, the Congress has given or extended to the executive some discretion in an effort to enable the executive and the legislative branches to work better between themselves.

But if this thing is going to continue to be portrayed as though we are overstepping our authority, we ought to go back and draw those lines very clearly. That used to be the case with this whole procedure,

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and an effort was made to have some comity between the executive and the legislative branch.

The response, it seems to me, by the executive ought to be pretty clear with respect to what is being said here and by other committees in the Congress.

Senator LUGAR. Mr. Chairman?

The CHAIRMAN. Senator Lugar.

Senator LUGAR. Mr. Chairman, the comments I will make are made with full appreciation of the work that has proceeded, led by yourself and with the leadership of Senator Kassebaum, Senator Dodd, the distinguished ranking member, and others.

I simply do not concur with a number of points in the letter and, as opposed to remaining silent, I want to voice my own thoughts, appreciating that they are a minority view.

As the letter has proceeded, from my point of view the situation has deteriorated. Beginning from the top, the letter says, "the committee wishes to register its objection to the reprograming of the full amount of security assistance proposed by the administration for El Salvador."

Personally, I would not object to the request of the administration. I think it is a reasonable request, matter of fact, an emergency request that the military situation there dictates. So, I would have approved the full $60 million.

Further, the letter says, "the committee believes that the level of ESF assistance in fiscal year 1983 should not exceed the fiscal year 1982 level." It seems to me that is a question that we ought to decide in a regular hearing, markup, and debate procedure. I am not certain whether we will come to that conclusion, but I would not want to prejudice the question at this point.

The next paragraph says "future requests for assistance shall be presented to Congress for legislative approval without the use of extraordinary authorities." As I understand the administration's position, they are asserting an emergency and I think that some leadership with regard to the administration of foreign policy needs to be respected in this regard.

In the next paragraph the letter says, "The committee further believes the United States should use its good offices to encourage an unconditional"—and of course the critical word is "unconditional"—"dialog among all parties." That is something with which I cannot concur and I would hope that a majority of Senators would not concur if they reflected upon what that means.

It is easy to use glib phrases such as "dialog" and "parties coming together," and "reasonable people splitting the difference," and this sort of thing. But the context of negotiations is important as we try to think of who they are going to meet, and what they shall talk about, and in what context.

It seems to me this letter does the committee's position no service. This vague terminology is just not helpful.

Next we come to the training of personnel. For the moment I would not argue about 55 more or less, although I suspect that this once again is certainly open to further development of evidence. We really have not had a full hearing on that requirement. To say that training should be limited strictly to facilities in the United States is an inter-

esting idea and I do not reject it out of hand. I would like to have heard it argued more. I know that Senator Biden has felt strongly about that and it is intriguing to consider.

But I am not certain that it has a place in this particular document on reprograming now.

Finally, the committee says that "prompt and far-reaching reforms of the judiciary must be an essential element of continued United States support." Of course, we are hopeful that there will be progress in all democratic forms, including the judiciary. That is one of the major reasons we support El Salvador to begin with. We see promise there, as opposed to walking away from the situation.

But I suspect by continually throwing up additional requirements for progress of this sort in the midst of a war and a military situation of some consequence for our country, that we throw roadblocks into the discussion. I am not certain what kinds of guideposts or markers really are relevant.

So, Mr. Chairman, needless to say, for these reasons I do not favor the adoption of this letter and my constructive suggestion would have been simply that we write a very short letter, indicating that we approve the reprograming of the $60 million and are prepared to discuss the entire situation in the normal forum as the administration approaches us for additional support.

The CHAIRMAN. Thank you, Senator Lugar.

Before your coming in I indicated that I support the full amount. But I think I also said that I can count votes. You and I and others who would share our view are definitely in the minority on that position and would not have prevailed.

The assistance level of $115 million, which continued the funding at 1982 levels in 1983, was at $105 million until last night when it was raised to $115 million. In this letter, again, there is no majority in this committee to go above that, without any question.

The unconditional dialog, I think this enables us to take the initiative and put the monkey right on the back of the guerrillas and say clearly, they know how we feel and what we feel the goal ought to be of that dialog, to give them a responsive government and a democratic form of government, and a popular elected president which we are working toward.

I think an overwhelming number in El Salvador want that. But I think to at least open the dialog is an important element. It was important to certain members of this committee and I hope that it will lead to the kind of a peaceful resolution of the problem, political resolution which is envisioned, and this procedure is envisioned by the regional governments down there.

We need not just work unilaterally and alone, we need to certainly work in concert with them. Those governments that immediately surround El Salvador are very much of the mind that they do want to see fruitful discussions and hope that a political solution can be found. Many in this country and there say there is not really a military solution to this problem and it has to come through the political route. At least we want to get the conversations underway.

Finally on the last area, if a military solution really is not necessary, is not possible, then I think in the midst of the civil war you have to continue to do as much as you can to reform the processes that will

make them responsive to the people and give them something to fight for and believe in. If they crumble, then they do not strengthen themselves. The judiciary process is one of those that are most dramatically illustrated in this country with the lack of prosecution of murderers of our own churchwomen down there.

I think we have to put ourselves behind every effort, even in the midst of a war, to strengthen those processes and certainly by electing assembly you could say, "Well, do not have that election in the middle of a war." But they were able to do it and dramatically illustrate and differentiate those of us who wanted to see that election go forward and that small number that did everything they could to discourage. They could not discourage, they could not intimidate those that turned out—almost 1 million people or more—to vote in that election, which was successful.

So I suppose like civil service reform the package was not acceptable, really made no one happy. But it made them all equally unhappy. So we finally passed the bill last night. Had we not had that effort, we would not have had a successful bill passed.

I think in this regard we have all disagreed to certain sections of it. What we are hoping is that this does represent a consensus. That is the same thing the Appropriations Committee did. What we most importantly want to preserve is the new authorization and privilege given to this committee to share a traditional practice that the Appropriations Committees had reserved for themselves in the past, to be taken into account in the important element of reprograming. This is the first time we have been able to make our mark on that and we want to make it as effectively as we can.

Any further comments?

Senator HELMS. I understand Senator Zorinsky has not made a statement.

Senator ZORINSKY. I have no statement.

Senator HELMS. I would like to make a statement, Mr. Chairman.

The CHAIRMAN. Yes, Senator Helms.

Senator HELMS. Mr. Chairman, I think it is time that we all took a step backwards and take a look at what we are doing in this action—what we are doing not only to ourselves but to this country.

Here we are trying to second-guess not only every action of our own administration, but also the actions of the elected Government of El Salvador.

I think we all recognize that the situation in El Salvador is far from normal or desirable. We have a country that has been destabilized from one side by international Marxism and socialism, and destabilized from the other side by the United States.

We must recognize that the United States itself is responsible for destroying the political process in El Salvador, as well as the backbone of its economy.

I well remember sitting in this committee room and the committee room over in the Dirksen Building and listening to some members of this committee—some of whom are no longer members of this committee. They sat here and gave orders to a U.S. Ambassador to go to El Salvador and be the U.S. Pro-Consul—that is the word that was used, the exact word, with all of the overtones of Yankee imperialism that are supposedly anathema to all liberal-minded citizens of the republic.

Yet, "Pro-Consul" was the word and Pro-Consul that Ambassador set out to be.

I would also remind the committee, with all due respect and affection, that the United States Government had already organized a military coup that set aside the constitutional Government of El Salvador. That was not such a terrific government, we all know that, but at least it was constitutional and it had been elected.

After that, the United States installed its own hand-picked president, without benefit of further elections. When the U.S. Ambassador went down there he proceeded to work exclusively with what he called, the democratic left. Those are not my words, those are his words.

Furthermore, his duties as Pro-Consul included magic solutions such as so-called land reform, nationalization of the banks, and nationalization of the export system.

Now, the point is this, Mr. Chairman, even if these had been good ideas—and they were terrible ideas—it was like ordering a heart transplant when the patient had tuberculosis. Those programs were blatantly illegal and unconstitutional under the Salvadoran constitution, and we hardly even asked whether these were good ideas or whether they would work.

What did these ideas do? They disrupted not only the economic system but the political system as well. They instilled fear, uncertainty, greed, and hatred. There could have been nothing better calculated to polarize the nation and make it impossible to heal the wounds and work toward a better standard of living for everyone. These programs did nothing to improve living conditions, instead they made matters worse.

The Marxists, supported by the Soviet-Cuban alliance aimed their blows at the very fabric of the nation, trying to make it impossible for the ordinary citizen to earn a living or to carry on a normal life.

There is no doubt that everything the United States did made matters worse, not better.

Now, our intentions were undoubtedly good, I do not question that. But it is manifestly impossible to dictate the reform of a society from the outside. That is what we have been trying to do. That is what we are trying to do here today, right here in this committee.

Now, despite these obviously wrongheaded and heavyhanded efforts, the Salvadorans went to the polls 1 year ago in a massive and courageous turnout. Under the worst possible conditions the Salvadorans embraced democracy. The result of that election was to turn out the unelected president that had been installed by whom? By the United States.

Did we learn a lesson? No, we did not. We promptly put on tremendous pressure to install yet another president who did not reflect the mandate of the voters. We also installed a military commander who was more keenly attuned to some voices in the U.S. Congress than to the military necessities of his nation.

So, here we are today making more mischief—and that is all it is, Mr. Chairman. We are trying to push the elected Government of El Salvador farther to the left, and no other face can be put on it. Some are even trying to force the freely elected government to share power with the totalitarian forces represented by the Marxist guerrillas.

If you want an analogy, what would have been the reaction years ago if it had been proposed that we bring in Al Capone for some negotiations, for participation in how to run the city of Chicago?

I think we have to ask ourselves what we want the result of this process to be. Do we really want a socialistic or a Marxist government in El Salvador? Do we think a socialist government is more just as a form of social organization than a free government? Is there any socialist government in the world where the people are better off than in a free government? If we can find one, let us pinpoint it.

If we would rather have a socialist government or a Marxist government in El Salvador, let us say so and not beat around the bush. Why do we not come out and tell the American people what we think about the situation? If we think that free governments are no good, let us say that.

Now, let us look at the specific process we are involved in here this morning. For the first time we are setting the precedent that the Foreign Relations Committee has the right to reject reprograming. We have not covered ourselves with glory in this attempt.

First of all, we do not have any authority under the law to do what we are doing. We are just trying to bully ourselves into the process. The administration has the authority to reprogram and we have no authority to stop it. Our only claim is the flame of blackmail. We are saying to the administration that if it does not follow our dictates and do what we want done, we are gong to retaliate in some indefinite way.

I do not think that is the way to build a relationship of trust and cooperation with any administration.

The only shred of authority is the letter that we have from our former colleague in the Senate, Mr. Buckley, who was at that time Under Secretary of State. When we look at the Buckley letter—which was undoubtedly prepared by the Legal Adviser's Office at the State Department—we see that we have practically nothing.

The letter assures us that the administration "will give full consideration and great weight to the views of the committee." Note those words, "full consideration and great weight." I dare say that many letters which many Senators have written to their constituents have contained the same phraseology, using a few words to say nothing. It is a polite formula which appears to promise more than is actually given. There is no promise to admit us to the decisionmaking process, only the promise that our objection will get full consideration.

I would like to think that our views would get full consideration whether we had the letter from Mr. Buckley or not.

The letter goes on to say, "We will make every effort to resolve differences before proceeding." That is a gracious statement. That is about all we could expect. But it is no more than we had a right to expect before that letter. So, we do not have much in this "thin reed" of a letter.

The mischief that we are trying to do on the basis of such a thin reed is very great. I think that most of us heard the President of the United States last night. He laid out for the American people what the situation is vis-a-vis the Soviet Union and the Caribbean.

I do think we ought to pretend that we can view El Salvador in isolation. If we do that, then we are encouraging the tumbling of all of Central America.

So, Mr. Chairman, with all due respect to my colleagues, I would say almost that we are about to make fools of ourselves. We talk of consensus and there is no consensus, that is obvious. The only consensus is that this committee does not seem willing to allow the Salvadoran people to decide their own future. The only conensus seems to be that we want to push them step by step into the hands of the Communists.

I think it is time that we put away our little legislative toys, adjourned this meeting, and went home.

The CHAIRMAN. Senator Kassebaum.

Senator KASSEBAUM. I wanted to make my comments, Mr. Chairman, in response to a couple of the things Senator Helms said.

One, I could not agree with him more, we cannot dictate reforms from outside the country—whether it is here to El Salvador, or here to South Africa, here to Nicaragua, or wherever we believe changes might be important. I totally agree and I think we would all agree to that. Certainly no one here is trying to support or believes a Marxist government should succeed and would lend support to that effort.

But what we are really talking about here is a difference of $30 million between what the administration requested and what we have suggested for reprograming efforts. We have not qualified that, that money will go. We have not tied the hands of the administration in any way.

But we do have a role to express in one way or another what each of us feels, and as a majority of this committee believes, is an important policy initiative. We each have that right and we have that right to debate it here in the Senate, in the House, in committee and on the floor. It does not tie, like Gulliver, the hands of the President in devising what he believes is an important foreign policy initiative.

But we have the role, as we have traditionally had from the beginning, of advice and consent in that role. It does not mean that we can intrude and dictate to another country what they should do. Essentially, the only role we have to play at this particular point in this issue, and it is all we have done, is to address the amount of money for the reprograming effort.

I think that is an important distinction that needs to be made. I think that we have not set some future course of history or dictated to El Salvador what indeed they should be doing. But we have taken what was, as Senator Helms said, obviously the ability that we have to consider reprograming. How much weight will be given to that will be determined by the Department of State, as it would anyway.

But I think that it is very important for those of us who have worked very hard and feel strongly about trying at least to extend the debate beyond just certification, beyond trying to draw up a checklist of whether there have been 10 murders or 20. I find it very demeaning for us to try and analyze whether indeed conditions have improved there from one month to the next.

I think our role is that of a thoughtful debate on what is going on not only there but elsewhere around the world, and the U.S. role in that. Certainly, one of the things we have felt strongly was that we are not talking about power sharing, and it does not imply that when we talk about an unconditional dialog.

Thank you, Mr. Chairman.

Senator SARBANES. Mr. Chairman?

The CHAIRMAN. Senator Sarbanes.

Senator SARBANES. Mr. Chairman, I think it is very important for the record to show—because there was a reference made to legislative toys by Senator Helms—that when this matter was previously considered Senator Dodd had an amendment that would have placed a legislative restriction on reprograming authority.

The Department of State was concerned that that not actually be put in the law, and as I have indicated earlier, I am beginning to think that perhaps we should do exactly that. I think the Department had better appreciate that this broader issue underlies this specific particular controversy.

In their concern, the Department of State sent a letter. I want to read the letter into the record. It was read only in part a few minutes ago. It was from James L. Buckley, Under Secretary of State for Security Assistance, Science and Technology, Washington, D.C., May 13, 1981, to the Honorable Charles H. Percy, Chairman of the Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN. I am writing to convey the position of the Department of State with respect to expressions of concern that may be raised by the committee in connection with proposed reprogramming actions, notified to the Congress pursuant to Section 634(a) of the Foreign Assistance Act of 1961 as amended, and involving programs for which the Secretary of State exercises policy responsibility.

In this regard I can assure you and members of the committee that we will give full consideration and great weight to the views of the committee, in particular to any objections to the proposed action. We will make every effort to resolve differences before proceeding.

I can further assure you that the Department will accord expressions of concern from the Committee on Foreign Relations the same degree of attention and seriousness as those from the Committee on Appropriations.

Sincerely yours, James L. Buckley.

In the relationship with the Committee on Appropriations, custom has established that they notify the committee on reprogramings, they do not go ahead if there is an expression of disapproval by the committee. As I read the law, they could go ahead, the authority is there. But obviously, if they choose to do that it will influence the perceptions of the committees with respect to subsequent requests for assistance and, perhaps more importantly, will influence the perceptions of the committee as to whether the existing discretion provided should be there.

If this matter continues to be pressed, it seems to me we should begin a serious consideration of amending the Foreign Assistance Act so that there is no reprograming authority. Then, if you wanted to offer more money to a specific country, you could not extend that money if you do not have congressional approval for it.

We have provided a certain amount of discretion. If that is to be abused we can withdraw the discretion and then each time they want an additional amount they would have to come to the Congress and obtain approval for it.

Senator DODD. Will the Senator yield?

Senator SARBANES. Surely.

Senator DODD. First I want to thank you for bringing this matter up in the context of this discussion because that is exactly the history of it.

In fact, the other day I offered as a part of the record the transcript that occurred between Mr. Mantel of the State Department and myself

on this issue. In fact it was more than just sort of an acquiescence and a vague letter. The transcript is there for all to read. But the administration in effect agreed with us that we would have a parallel—I am quoting now the administration's words, "a parallel" relationship in effect with the Appropriations Committee on reprograming efforts.

So there is no doubt, based on the legislative record, and based on the letter from Mr. Buckley, of our role in all of this.

I would suggest to my good friend from North Carolina that this is not just a suggestion that was raised because of actions that this administration might take and how this Congress would deal with it.

But I would fully suspect in the years to come that my good friend from North Carolina might one day applaud my efforts on reprograming because the hour may come in a different administration, at a different time, where we may have differing views on a matter where reprograming is involved, and then the fact that we are going to be involved will be an asset to those who will also have some disagreements with future administrations on issues like this.

So, it is far more than just a legislative toy. In effect, legislators have never thought of the Constitution of the United States as being a toy. I do not think our Founding Fathers thought of it as a toy. They thought of it as a role, a very responsible role; the counterweight, if you will, to the actions of the executive branch. They wanted us involved. It could not have been more clear about the legislative branch of government being involved in that decisionmaking.

All we are doing, is involving ourselves in our constitutional role as a legislative body on a matter of deep significance when they disagree over the contents of a letter, or a particular vote, or amendment, or policy.

But I am sure no one in this committee would want to see our legislative responsibilities abrogated merely because we disagree with a policy of a given administration. That is really what this is all about. It is a fulfilling of a constitutional role and a constitutional function.

My hope is that we will be able to have a working relationship with this administration and future administrations in the framework that has been agreed upon over these last 2 years. This is our first effort in that regard. We have not had a situation come up since that agreement was struck in 1981, this is the first.

I think it is extremely important for this committee long after we are all gone from the U.S. Senate that other members of this body might have a chance to participate in such requests. That will occur because of what we did in 1981 and more specifically what we are doing here today. As difficult as it is under the circumstances, we are setting the precedent. We are involving the Foreign Relations Committee of the U.S. Senate in reprograming.

That is, I would suggest, a far more significant act than the particular reprograming request that the administration is making in this particular situation. It transcends that. I think we ought to keep that in mind, as difficult as this process is, as awkward as it is, as uncomfortable as it is to try and draft a letter that will embrace a variety of views, if you will, to develop a consensus.

So, I appreciate the committee chairman's efforts on this behalf. He and I do not agree on this one. He would like the $60 million.

I would like to see a very small amount—I do not say zero but a very small amount.

The CHAIRMAN. Senator Pell would say zero.

Senator DODD. He would say zero, and others would say other things. But I appreciate his efforts to see to it that this process goes forward because I suspect one day Senator Helms and this committee is going to say, "Thank God for Senator Dodd." [Laughter.]

The CHAIRMAN. If you live to be old enough and stay on this committee long enough.

Senator Biden?

Senator BIDEN. Reverend father——

[Laughter.]

Senator BIDEN [continuing]. Mr. Chairman, ladies and gentlemen, it has been 3 weeks since my last confession——

[Laughter.]

Senator BIDEN [continuing]. I would like to make three points, if I may, and they will be brief.

First of all I would like to compliment Senators Kassebaum and Dodd on arriving at a letter that I think is good, solid, giving everybody about 50 percent of what they wanted in this process.

But the reason why it is important and the process was so important is this: There are many things the President is right on but one of the things the President is absolutely right on is the need for a bipartisan foreign policy.

The second thing he is right on is that a foreign policy absent the overwhelming consensus of the American people is doomed to failure, it cannot work.

You can make one quick hit in one part of the world and be in and out without the American public liking it, and it could possibly work. We are talking about a sustained action here. Unless the American people believe that what we are doing there makes sense, you are going to find the Senate and the House of Representatives not supporting the President's actions. You are seeing part of that right now reflected in the debate on this very issue.

So, at the risk of offending anyone at this table, I am going to use the word "evolution." The relationship between the Congress and the President is an evolving, evolutionary process and a struggle that takes place between the executive and legislative branches for the handle on foreign policy, or a piece of that, That is constantly evolving, constantly evolving. It is very different today than it was 200 years ago and there are at least seven times in our history where the balance has been held overwhelmingly by either one branch or the other. It is a constant struggle that goes on.

This is part of that struggle. I would like to associate myself with the remarks of Senator Sarbanes and just put it very simply. Politics is the art of the practical. The fact of the matter is, constitutionally the President can in fact, I believe, ignore this letter. He can say, "Forget it, I am not going to pay attention to it," and go ahead and reprogram.

But then he is going to have people back here in this body and in the other body saying, "All right, we are going to change the rules. We are going to change the rules upon which you can be involved in this kind of process, Mr. President."

Then he can take that on constitutionally. Then we can say, "All right, we will not vote the money next year and the following year."

So, the administration is smart enough to understand what we are saying here. What we are trying to say to the administration is,

Look, Mr. President, we are not all that sure you are right in your perception of the threat. We are not all that sure you are correct in the degree to which you think we should or should not be involved, but we do acknowledge that there is a deep concern down there.

We do acknowledge that the American people have an interest in the region. We do acknowledge that we must be involved to some extent. These are the parameters of the involvement that we think we should be involved with in terms of dollars and in terms of policy. You do not have to accept it, Mr. President, but we sure hope you understand that it comes from more than Senator Kassebaum, and Senator Dodd, and Senator Sarbanes, and others.

I believe, and it will be tested, but I believe this view reflects and will reflect the majority opinion in the U.S. Congress in terms of where we go.

Most in the Congress, I believe, do not want to pull out completely, just wash our hands and walk away. And most in Congress do not want to step in with both feet without knowing where we are going with certain restrictions written in.

So, we are saying to the President, "We want to cooperate, Mr. President. We want help in that process." Let us use that old cliche, "You have told us when the plane is taking off. This time we are getting in. But we are making sure it has a landing gear on it before we let it get off the runway." That is what we are talking about.

I compliment the chairman on his diligence in this matter. I really think the work that Senators Kassebaum and Dodd have done to put together this letter, with my suggestions and everybody else's around this table and others who were consulted from beyond this committee, is an incredibly creative piece of work and extremely productive, and clearly in the interest of this country's foreign policy. I compliment them both and I cease.

Thank you.

Senator DODD. Thank you.

The CHAIRMAN. Thank you very much indeed.

I would like to reply to Senator Helms by first of all thanking him very much for the way he expressed himself, the provocative way he expressed himself this morning. With his usual genius he has now brought together greater unity in this committee than I have seen for a long time.

I think that what we have tried to do in this letter has been now expressed by a great many members. I would dispute the fact, the judgment, that this is a foolish endeavor. That is calling the Appropriations Committee on Foreign Operations fools because they engage in the process. They have a letter and they have put down certain conditions. They are different than our conditions but they have put down conditions.

We have engaged in a process not of internally interfering in the affairs of another country. We are simply saying, as I have said before, if you want us to bank your effort and finance your effort, military and economic, then there will be certain conditions that we would put down that we have tried to work out as goals with them, with their national leaders; with their foreign minister; their presidents who

have sat in this room and deliberated and never disagreed with the objectives and goals that were laid down.

We have tried to work them out with them. They just did not want to put them in writing. Give them to us verbally. Well, everyone would like to be in that kind of a position but I do not think we can. We cannot tolerate it because we are not a government of men, we are a government of process here. We have to put down permanently what this particular position, in writing, our position was.

I think they have learned to accept that, and so has the administration.

So far as the importance of this process, Senator Helms, I think it is important. The committee has agreed to adopt this informal procedure to be consistent with the Appropriations Committee authorities that they have had of long standing. We have tried to adopt a process that is similar to those, so that we give the same precedent and draw upon the same precedent that they have used with the executive branch for many, many years.

The Buckley letter and the transcript of our markup does exactly that. The only alternative would be a more legally binding approach which we rejected, but which we can always pass if necessary.

From the standpoint of the policy statements made in this letter, I frankly think when we say we want to encourage a dialog with all parties, I frankly think from a practical standpoint the leftists, the extreme left, the guerrillas, those in league with Cuba, the Soviet Union, and other forces that want nothing but the destruction of El Salvador, they want their minority views imposed on El Salvador. The price they are willing to pay is the utter destruction of their economic infrastructure and the utter destruction and disregard for human life. Whatever it costs them, they are willing to do that.

I cannot imagine these people who have been taught to and are learning to, and are being armed by outside forces to shoot their way into the government and take it over, being willing to enter into a dialog.

But when we consider the regional support that there exists for that and our desire to work with the region in this effort, I cannot imagine that then we should not take the initiative—even if it is just simply to have them reject it and turn it down. But at least go along with our allies who all urge us to encourage a dialog.

We are genuine about it. We would genuinely say, "If you want to sit down, sit down. But clearly, these are our goals. You must work toward peace, prosperity, and progress," if I can put it in those terms, "of the people of El Salvador. That is our goal." Other goals may be different.

Certainly, as far as pushing them farther to the left, I just cannot believe that. That is not the intention of a single member here. That is not our judgment, those of us who have worked on this draft and those in the Appropriations Committee that have worked on it, and the administration.

In the past when we have worked toward economic reform, when we have worked toward justice in that country, when we have worked toward a popularly elected assembly and now a president, it was not to move them to the left. It is to move them to the center where a good democracy generally is.

We do not want to go the extreme right or the extreme left. But we want them to have whatever form of government the people of El Salvador have said they want. We want them to have that chance.

What we are trying to avoid, and I use the same word that Senator Biden did evolution. We want evolution not revolution. The leftists, the guerrillas, want revolution. That is the only way they have ever seized power in any country, in Cuba, in the Soviet Union, and Eastern Europe. They want revolution.

We want to avoid it. We want to avoid it by evolutionary processes that can be supported by reasonable people. They are not going to be supported by the extremists on the right, they want to seize it through power and they want to hold and oppress, the extreme right, that is. They are no different than the extreme left.

That is why this committee overwhelmingly rejected Dr. Lefever because he could see no difference. He could see the difference, suppression on the right was all right, on the left, it was not. We just figured that repression is repression, murder is murder, and you have to call the shots as we see them. We are solving that problem, the Senate has spoken on that.

Economic reform I think is essential. The administration has testified and so have our friends from El Salvador testified that every effort we have made to move them in that direction has helped stabilize the government and it has helped attract more support.

We never would have had the outpouring of the electorate, the people voting with their feet, that we had in that last election. I say "we" because we, the community of nations, had observers. Nancy Kassebaum headed our delegation down there of observers. They never would have seen that phenomenon if it had not been for the reforms that people saw. The hope that some day they may own something and have something, and be a part of the process and not just left out in the cold the way they were before always dealt out by the rightists down there that were in control.

I do want to read to you the last version of our last paragraph, Senator Helms because this does, I hope, make more meaningful the worlds of Jim Buckley that, we will give heavy weight to your consideration.

We now tried to tie it down by saying, "The committee would appreciate"—this is to the Secretary of State—

> Your comments on the recommendations in this letter prior to the committee markup on the fiscal year 1983 supplemental request.
>
> We would furthermore hope to have your assurance that there will be full consultation with this committee as we move toward our commonly held goals to achieve peace and progress for the people of El Salvador.

I think there we are just trying to tie down—and we added to this letter that paragraph so that we do tie down—what could have been an ambiguous sort of statement in the Buckley letter. We tie it down to the fact that we do want to work with them.

I just have no doubt that the Secretary of State, Secretary Shultz, will consult closely with us as we work toward these goals on this, one of the most difficult and complex problems. It is a problem in your hemisphere for which you have committee responsibility, and you know better than anyone how complex it is.

But I do think that this letter is a very important element now in a process that we want to begin with the administration and it is responsive, I think, and done in such a way that it will call for a favorable response by them.

Senator HELMS. Mr. Chairman, I do not know whether I ought to consider myself having been lectured or not. But I always appreciate the observations of the distinguished Senator.

If it will do Senator Dodd any good, I do thank God for him. He is a good friend and he helps me keep track on whether I am right or wrong. I can live with what he is doing and in the context of that it is very helpful.

Now, the point I am making is that this committee as a group, or we as individual Senators, have the same process open to us that we have always had in terms of appropriations. I do not lecture the chairman about the function of the Appropriations Committee versus those of the Foreign Relations Committee. Sure, we can express our opinion.

But this letter, after all—this proposed letter—is the fallback position to a definite attempt to try to rock the reprograming. That has been going on for several days. I respect those who have been trying to do it.

But in terms of Central America—and I hope I know a little bit about the situation down there—we are not talking about something that is far away and irrelevant to the welfare of this country. It cannot be said too often that if Central America falls it will have an impact on this country which will be unbelievable—beyond the compassion aspects of it, beyond the human misery elements, which will effect economic aspects of this country. You mentioned "to feed people" yourself, Mr. Chairman.

I predict that we will see 15, 20 million people pouring over the borders of the United States if we do the wrong thing now, or if we fail to do the right thing.

El Salvador is the key. If we even send the wrong signal there, let alone fail to support that government—which is certainly imperfect, I agree with that—El Salvador will fall in my judgment, and when El Salvador falls it will be followed by other countries in Central America.

Now, my concern is very genuine, very sincere. I think we are doing wrong when we try to tamper with the President's attempts to handle this very tenuous foreign policy situation in Central America. Surely it is politically charged as someone has said. I believe it was Joe Biden who said we did not want to step in with both feet. Well, the President is not proposing to step in with both feet, he has maybe two toes poised to go in.

But go back in history a little bit and apply what has been going on here for some time to the pre-World War II situation, if the same situation, if the same situation had prevailed in Congress, if Roosevelt's hands had been tied, you would never have seen Churchill as a leader in that fight, because Britain was in terrible shape, not to mention Europe.

I just urge extreme caution. I know that the major media and various political forces around the country have convinced the American people that, "Oh, we must not get involved."

But the fact is, we are involved. We are involved up to our ears. When all those pathetic people by the millions begin to pour over our Southern border as a result of our having failed to do what we should have done, it will be too late to say, "Well, thank God for Senator X" or "Thank God for Senator Y."

I am just as genuine as I can be. I think we ought to handle this situation with kid gloves and give the President a chance to implement his foreign policy there without all the ruckus that has been so evident for the past several months.

Now, I say again that all of this exercise has been an outgrowth of an effort to cut aid to El Salvador. If you peel off all of the veneer, the underlying motivation was to cut the aid to El Salvador. We have one Senator who says "no aid" on this committee. But the Appropriations Committee is still alive and well, and we still have our rights on the Senate floor.

The President had better take his case over and over again to the American people so they will understand it, because I do not think that the American people as of today fully understand the perils that confront them if we fail to do what we should do at this time.

I thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Helms.

I am convinced that the committee taking this action will meet the immediate needs of the El Salvador people and in our markup we will have ample opportunity to modify it in any way we see fit, in accordance with the evidence that we have at that particular time.

Senator Pell.

Senator PELL. Just in connection with the last paragraph that you read I would like to refloat the thought, or reiterate my thought, that what we need here is a request for administration concurrence in our policy recommendations, although they would, as Senator Helms says, not be "conditions."

These are not conditions, and my proposal is based on the premise that, as members, if we believe in the arguments we put forth, or the statements in the letter, then we should not be reluctant to suggest there be some concurrence on the part of the administration.

I am wondering if the chairman would agree to the language—a short sentence there—"In preparation for the committee's markup on the fiscal year 1983 supplemental, of the fiscal 1984 authorization, the committee would appreciate"—not mandatory, would appreciate—"being assured that you concur in the committee policy recommendations set forth above."

The CHAIRMAN. I do not think we would get that concurrence because the President has made himself eminently clear on the unconditional dialog. He is not going to change his mind on that, I understand. But I think we have the responsibility to express ourselves strongly on that point. We know what we have in mind and he knows what he has in mind.

I do not think it is essential that we condition the whole thing on getting back from them a response that I do not think we will. But I think that by the language that I have read we can assure ourselves we will have adequate opportunities to discuss it.

I think it is somewhat moot anyway because I do not think the guerrillas are going to enter into such a dialog. But I think we ought to at least offer it to them and that is the position we ought to take.

Senator PELL. Mr. Chairman, in connection with your language, one thing that bothers me particularly is, you say "Further, we hope to have your assurance there will be full consultation with this committee." That is hoping for what should be already there. Should we not say at least, "We look forward to full consultation?"

The CHAIRMAN. No problem.

Senator Dodd.

Senator DODD. Might I say, I agree with him. Again, if I were writing this letter for you and me, there is no question what we would say in terms of trying to tie those down.

I emphasize to him again, it is a letter, not a vote. That is the difficulty here. If it were a vote we might end up with a different result.

Senator PELL. And then my other point which I understand is all right with the committee, I do think the point was raised that some would want the full amount, some would want zero.

Senator DODD. I think your language there is good.

Senator PELL. So, what we have here is:

While some members of the committee would prefer that no reprograming take place and others would support the full reprograming amount of $60 million in FMS credits, the committee consensus is not to object to $30 million.

The CHAIRMAN. That is fine.

I think the record now makes it clear that a consensus of the committee has been arrived at. The letter then will be drafted up for signature.

I want to express deep appreciation to all members of the committee for participating today.

The meeting is adjourned.

[Whereupon, at 12:15 p.m., the committee adjourned, subject to call of the Chair.]

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